

City of East Bethel
Planning Commission Agenda
Planning Commission Regular Meeting
Date: June 24, 2025



Two or more Council Members and/or the Mayor may be in attendance at this meeting.
If two or more Council Members and the Mayor attend the event, there will be a quorum of Council Members.

This meeting may be monitored live via the following means:
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel
(www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live)

1. Call To Order
2. Adopt Agenda
3. Council Liaison Update
4. Approval of Minutes: May 27, 2025
5. Swearing in of Planning Commission Candidates
 - a. Kristina Pagnac
 - b. Eldon Holmes
6. **Public Hearing.** Consider the request by applicant, Alec Jensen of EB Commercial LLC, for a variance at Outlot A, Elevage EB Second Addition (29-33-23-43-0010) (File 25-019)
7. **Public Hearing.** Consider the request by applicant, Tom Babineau, for a variance at 239 Aspen Road (36-33-23-22-0093) (File 25-017)
8. **Public Hearing.** Consider a Zoning Ordinance amendment to regulate “barndominiums” in East Bethel (File 25-006)
9. Adjourn

DRAFT MINUTES: NOT YET APPROVED

EAST BETHEL PLANNING COMMISSION MEETING May 27, 2025

MEMBERS PRESENT: Chair Sharon Johnson, Glenn Terry, Tanner Balfany, Brian Downie, and Kory Jorgensen.

MEMBERS ABSENT: None

ALSO PRESENT: Grace Gerard, City Planner
Kendra Lindahl, Interim Community Development Director
Brian Mundle, City Council Liaison

1.0 Call to Order

Chair Johnson called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Adopt Agenda

Chair Johnson noted that they will be reordering the agenda to discuss agenda item 6 last.

Commissioner Terry moved and Commissioner Downie seconded to adopt the agenda as amended. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

3.0 Updates

Council Liaison Mundle updated the Commission on recent Council actions. He updated on the EDA members and noted that East Bethel has hired a new Fire Chief.

4.0 Approve March 25, 2025, meeting minutes

Commissioner Balfany moved and Commissioner Terry seconded to adopt the March 25, 2025m regular meeting minutes as written. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

5.0 Interview of Planning Commission Candidates

5.a. Eldon Holmes

Gerard noted that Eldon Holmes is not able to attend the meeting, so she provided his letter of consideration for the Commission to review.

The Commission reviewed the letter of recommendation.

5.b. Kristina Pagnac

Kristina Pagnac introduced herself to the Commission.

Downie asked why she is interested in becoming a Commissioner. Pagnac reviewed that she recently went through the variance process for a home project, and that sparked her interest in getting involved in the Commission.

Balfany asked what strengths she would bring to the Commission. Pagnac stated that she has worked in the claims side of the medical field and has done a lot of strategic planning. She noted that she has a strength in affective communication.

Jorgensen asked as a Planning Commission member, what she views her role as a representative of the City. Pagnac stated that she sees her role as being a bridge between the community and the City's vision.

47 She noted that she would like to create simplicity for the community and help them with the next steps
48 of their projects.

49 Johnson asked what her vision is for the Highway 65 corridor. Pagnac noted that her biggest priority is
50 safety. She added that there are high rates of accidents on this road, and she would like to reduce these
51 accidents. She loves the additions on Highway 65, but would like to keep the small community and
52 maintain the best interests of residents in the area.

53 Terry asked if she holds any roles that would create a conflict of interest on the Planning Commission.
54 Pagnac stated that she does not.

55 Downie asked if she had any preference for serving a partial term or a full term. Pagnac stated that she
56 would like to serve a full term.

57 Gerard read the votes for the election of Commissioners as follows:

58 5 votes for Kristina Pagnac for the full term. 5 votes for Eldon Holmes for the partial term.

59 **Commissioner Balfany moved and Commissioner Terry seconded to recommend approval to City**
60 **Council to appoint Kristina Pagnac for a full term and Eldon Holmes for a partial term.** Johnson
61 asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed?
62 That motion passes. **Motion passes unanimously.**

63 This item goes before City Council on June 9, 2025.

64
65 **6.0 Public Hearing – Consider a Zoning Ordinance amendment to regulate “barndominiums” in East**
66 **Bethel**

67 This item was discussed following item 10.

68 **7.0 Public Hearing – Consider the request by applicant, D&D Construction LLC, for Site Plan,**
69 **Conditional Use Permit (CUP), and Variances at 21476 Johnson St. NE**

70 Lindahl reviewed staff’s report stating the City received an application from Dan McConnell for a Site
71 Plan, CUP, and four Variances to allow exterior storage for equipment on the property located at 21476
72 Johnson Street NE. A CUP is required for exterior storage in the B-3 zone in East Bethel. The applicant
73 purchased an existing building and intends to use a large section of the property for exterior storage of
74 equipment and other items related to their business.

75 Lindahl stated that the property is guided Commercial and zoned B-3- Highway Commercial. The
76 properties to the north, south, and east are all guided and zoned the same. The property to the west is
77 guided Mixed Use and zoned B-3 Highway Commercial.

78 Lindahl noted that there are four variances. The first variance is to allow storage in the front yard. The
79 second variance is to allow exterior storage more than twice the square footage of the principal building.
80 The third variance is to allow a six-foot fence in the front yard. The fourth variance is to allow chain link
81 fence.

82 Lindahl discussed the options for the Commission's decision following the public hearing.

83 Johnson opened the public hearing at 7:31 p.m.

84 Balfany asked what kind of business this is. Dan McConnell, applicant, stated that they do dirt work and
85 excavating.

86 Balfany discussed possibly not needing a variance for six times the structure for storage and just
87 allowing two times if all the equipment fits in that space. Lindahl noted that they will still need the
88 variance, but they can condition it on how much of the land can be used for the storage.

Johnson asked if the property has neighbors. Mr. McConnell stated that the neighbors are an industrial complex.

Terry noted that he is concerned about where the fence is set back from the road. Mr. McConnell explained that it is an industrial-grade fence, and you won't be able to see anything from the road. He added that they hired a survey company to design the fence so they could utilize more space.

Terry discussed that the property is screened in almost fully by the environment around it. He noted that he doesn't have any concerns about the type of screening.

Johnson closed the public hearing at 7:46 p.m.

Jorgensen noted that he doesn't think this will affect the neighborhood and thinks the Planning Commission should follow staff's recommendation on the front line.

The Commission discussed that they are leaving variance one as is for approval.

Johnson noted that they will scratch variance two from the resolution.

Lindahl explained the placement of the fence line setback on variance three.

The Commission discussed that they are leaving variance three as is for approval.

The Commission consensus was met to leave variance four as is for approval.

Johnson asked the applicant if he thinks he will be able to comply with the decisions from the Commission.

Balfany shared his reasons for not wanting to allow for all of the extra storage and not wanting to set a precedent.

Mr. McConnell stated that he sees no issue with compliance.

Commissioner Johnson moved and Commissioner Balfany seconded to recommend approval to City Council with the conditions set forth in the provided Resolution, with variance two removed.

Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

This item goes before City Council on June 9, 2025.

8.0 Public Hearing – Consider the request by applicant, Tom Carlisle of Sherco Construction, for a Concept Plan Review of a subdivision north of 217th Avenue NE, PIN 12-33-23-14-0002

Gerard reviewed staff's report stating the City received an application from Tom Carlisle of Sherco Construction for a Concept Plan Review of a 3-lot subdivision located north of 217th Avenue. The subdivision application is for 3 lots for single-family homes.

Gerard stated that the property is guided Rural Residential and zoned Rural Residential in the Special Natural Environmental Area Overlay. The properties to the south and west are guided and zoned the same. The property to the north is guided and zoned as Natural Area. To the east, this property borders "Dellwood Country Estates", a subdivision in Linwood Township. She reviewed the concept plan. Staff has found that the plan does not meet the subdivision standards outlined by the Comprehensive Plan. She noted that staff recommends that the applicant update the plan before applying for rezoning.

Gerard reviewed the Commission's options for their decision.

Johnson opened the public hearing at 8:12 p.m.

Jason Rude provided a background of the project. He added that he doesn't understand the density of the lot standards. He noted that it is not consistent with previous projects.

130 Tom Carlisle, applicant, stated that he was under the impression that he could build 3 lots on the land
131 and was not aware that he couldn't until after he purchased the land.

132 Lindahl explained that the Comprehensive Plan and the Zoning Code contradict each other in this case.
133 The Comprehensive Plan does not allow for 3 lots on this land, but the Zoning Ordinance does.

134 Kay Anderson noted that she sold the property to the applicant and was not aware that this was a part of
135 the SNA. She added that she had a very difficult time finding a map that showed that this was a part of
136 the SNA. She stated that she is in support of the 3 lots on this land.

137 Johnson closed the public hearing at 8:26 p.m.

138 Lindahl explained that, by State laws, the City has to adopt a Comprehensive Plan and follow the Met
139 Council rules. She shared that the Zoning Ordinance is required to implement the Comprehensive Plan.
140 She noted that she is concerned and thinks that this needs to be corrected to avoid confusion.

141 Johnson stated that she understands what is included in the staff report.

142 Terry noted his concerns with the Comprehensive Plan required by the Met Council. He noted that he is
143 not concerned with following the Comprehensive Plan, and he would like to follow what is in the
144 Zoning Ordinance.

145 Balfany shared that he agrees that they should follow the Zoning Ordinance due to the precedent set in
146 the past. He stated that in his mind, the City is obligated to follow the Zoning Ordinance.

147 **Commissioner Terry moved and Commissioner Balfany seconded to recommend approval to City**
148 **Council with the conditions set forth in the provided Resolution.** Johnson asked any discussion? To
149 the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes.
150 **Motion passes unanimously.**

151 This item goes before City Council on June 9, 2025.

152
153 **9.0 Public Hearing – Consider the request by applicant, Greg Underdahl, for garage size, metal siding,**
154 **and impervious surface Variances at 138 Laurel Road NE**

155 Gerard reviewed staff's report stating the City received an application from Greg Underdahl, the owner
156 of property at 138 Laurel Road NE, to allow for the construction of a new single-family home with 3
157 variances. The first variance is from the minimum garage size of 24' x 24' (576 sq. ft.) established in
158 Section 22.7, Subdivision B of the Zoning Ordinance to allow for a 12' x 34' (408 sq. ft.) single-car
159 garage. The second variance is from the 25% impervious surface lot coverage standard as established in
160 Section 57.10, Subdivision B of the Zoning Ordinance, to allow coverage of 27.6% of the lot area. The
161 third variance is from the siding material standards established in Section 13.1, Subdivision A of the
162 Zoning Ordinance to allow metal siding on the proposed residential structure.

163 Gerard stated that the 0.27-acre property is a through lot with 60.05 ft. of frontage along Laurel Road
164 and 60.05 ft. of frontage along Maple Road. It is guided and zoned Coon Lake Residential (CL) and is
165 entirely within the Shoreland Overlay District. The intent of the Coon Lake land use designation is to
166 address the unique zoning and land use challenges associated with the many small, non-conforming lots
167 in the neighborhood. The intent of the Shoreland Overlay District is to regulate development and
168 maintain a high standard of environmental quality near bodies of water. The properties surrounding this
169 parcel are all guided and zoned the same.

170 Gerard reviewed the Commission's options for approval or denial.

171 Johnson opened the public hearing at 8:49 p.m.

Maggie Wall stated that she is the applicant's, Greg Underdahl's, daughter. She provided the reason for needing a smaller garage. She noted that the siding is due to maintenance reasons.

Johnson closed the public hearing at 8:51 p.m.

Downie stated that the metal siding does not meet the uniqueness factor of the three-prong test. He added that metal siding does seem to be easier to maintain than regular siding. He stated that he sees no issues with the other two variances.

Balfany agreed with the statement about the side. He also noted that he is not sure if he can support the impervious square feet and is concerned about again, setting a precedent.

Terry stated that in the Code, it states that the siding has to look similar to normal wood, vinyl, or masonry. He noted that since the metal samples look similar to those, they may not need a variance. He added that he supports the smaller garage.

Maggie Wall explained the need for an impervious surface.

Terry noted he feels that since the structure was already in place when the applicant bought the property, the City should approve that variance and allow for the extra impervious surface. He also stated that a 2% increase does not seem like a big deal for this property.

Johnson stated that she is comfortable with the variances as requested.

Commissioner Terry moved and Commissioner Jorgensen seconded to recommend approval to City Council with the conditions set forth in the provided Resolution. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Johnson, Terry, Jorgensen – Aye; Downie, Balfany – Nay, Motion passes.**

This item goes before City Council on June 9, 2025.

10.0 Public Hearing – Consider the request by applicant, Mark Fors, for rear setback and impervious surface Variances at 144 Laurel Road NE

Gerard reviewed staff's report stating that the property is zoned and guided Coon Lake Residential within the Shoreland Overlay District. The intent of the Coon Lake zoning and land use designation is to manage development of the many small, non-conforming lots surrounding Coon Lake. The surrounding properties are guided and zoned the same.

Gerard stated that this building permit for this structure was issued in April 2024, and a Certificate of Occupancy was issued in November 2024. She noted that on April 14, 2025, the City became aware that a structure on the property at 144 Laurel Road was in violation of the City's 25' rear setback standard within the Coon Lake District. Upon review, staff confirmed that the home is encroaching on the rear property line. Staff also discovered that the property exceeds the allowed amount of impervious surface in the Shoreland Overlay District.

Gerard reviewed that the first is a variance from Section 51.7, Subd. B of the Zoning Ordinance to allow a setback reduction from 25 ft. to 9.3 ft. The second is a variance from Section 57.10, Subd. B of the Zoning Ordinance to allow for impervious surface coverage of 25.09%, exceeding the 25% limit within the Shoreland Overlay District.

Gerard reviewed the options for approval or denial of the two variances.

Johnson opened the public hearing at 9:09 p.m.

212 Mark Fors, applicant, stated that this is a tough situation for him. He added that they submitted all
213 required paperwork for the setbacks. He noted that he was aware of the issue with the setback they
214 would have made changes in the project. He stated that there is nothing else he could do to fix this
215 situation.

216 Marsha Carson stated that this property is behind her house. She noted that the fence on this property is
217 not straight and is close to her property. She stated the setback had not been changed when she was told
218 it would be, and she would like the house moved.

219 Mr. Fors stated that the fence was reviewed before being built. He noted that only part of the fence is his
220 and the other part is his neighbor's.

221 Johnson closed the public hearing at 9:30 p.m.

222 Terry stated that in his mind, the City caused the problem. He noted that he would be in support of
223 approval.

224 Gerard explained that the setback was a significant encroachment that should have been caught in the
225 plan review. She stated that they don't like granting after-the-fact variances, but it will cause issues
226 down the road if he chooses to sell the home.

227 Balfany noted that due to a possible City error, he is in support of approving these variances.

228 Downie stated his agreement that, since it was a City issue, he would support the approval of the
229 variances.

230 **Commissioner Terry moved and Commissioner Balfany seconded to recommend approval to City**
231 **Council with the conditions set forth in the provided Resolution.** Johnson asked any discussion? To
232 the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes.
233 **Motion passes unanimously.**

234 This item goes before City Council on June 9, 2025.
235

236 **6.0 Public Hearing – Consider a Zoning Ordinance amendment to regulate “barndominiums” in East** 237 **Bethel**

238 Johnson asked Mundle if they should table this discussion for a later meeting. Mundle noted that they
239 will need around an hour to discuss this topic, so they should table it and schedule to discuss it at a
240 different meeting.

241 **Commissioner Terry moved and Commissioner Balfany seconded to table this item for discussion**
242 **at a later meeting.** Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.**
243 Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

244 **11.0 Adjournment**

245 **Commissioner Balfany moved and Commissioner Terry seconded to adjourn at 9:46 pm.** Johnson
246 asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed?
247 That motion passes. **Motion passes unanimously.**

248 Submitted by:

249 Sylvia Rokosz

250 *TimeSaver Off Site Secretarial, Inc.*
251

**City of East Bethel
Planning Commission Meeting
Agenda Item Information**



Meeting Date: June 24, 2025

Agenda Item Number: 6

Request: Hold a public hearing and consider a variance request to allow a development monument sign within the 20-foot setback from the public right-of-way for property located at Outlot A of Elevage EB Second Addition (29-33-23-43-0010) (City File 25-019).

Review Deadline: July 29, 2025

Background/Context

The City's discretion in approving or denying a variance is limited to whether or not the proposed project meets the standards set in the Zoning Ordinance for a variance. The City has a high level of discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met.

On May 30, 2025, the City received an application from Alec Jensen of Elevage Development Group for property identified as Outlot A of Elevage EB Second Addition, to allow for the construction of a development monument sign at the northeast corner of Sandhill Parkway NE and 189th Lane NE. The proposed sign would be located within 20 feet of public right-of-way (ROW), requiring a variance from Section 54-4 Subdivision 2C of the City Code. Additionally, Section 12-1C of the Zoning Ordinance deems outlots unbuildable and prohibits issuance of building permits on outlots without City Council approval.

This property is a 5.61-acre outlot that is zoned and guided MXU – Mixed Use. The adjacent properties are guided and zoned the same. This property is part of the Elevage EB Planned Unit Development (PUD), a 62-acre residential and commercial development east of Highway 65.

The intent of a PUD is to allow flexibility and variation from conventional ordinance standards, though these variations must be specifically approved as part of the PUD. While the site plans submitted during the platting process for Elevage EB Second Addition show an approximate location for the monument sign, the location was not explicitly defined in the PUD Agreement. The Elevage EB Second Addition Developer's Agreement, made effective December 12, 2022, states the Developer shall construct all improvements in accordance with the provisions of the City's Code of Ordinances.

Analysis

According to Section 54-4 Subdivision 2C of the City Code, residential development signs must be located at least 20 feet from the public ROW. Setting the sign back from the ROW reduces the likelihood the sign would need to be removed or relocated if the ROW or easements need to be expanded in the future. The applicant is proposing to locate the sign within the 20-foot setback from the ROW at the northeast corner of Sandhill Parkway NE and 189th Lane NE. Additionally, the Elevage EB Second Addition Final Plat has a utility easement extending 10 feet to the east and 10 feet to the west of the fire hydrant at this corner. Meeting the 20-foot setback requirements from the ROW and placing the sign outside of the utility easement would locate the sign at least 60 feet from the curb of Sandhill Parkway and 40 feet from the curb of 189th Lane NE, which could limit visibility of the sign.

The applicant provided a site plan showing the proposed location of the sign along with several alternative sites. The applicant has also included architectural drawings of the proposed sign.

Section 4.10 of the Zoning Ordinance establishes standards for review of a variance request. Consideration of a variance requires the following three-factor test for practical difficulties. Economic considerations alone do not constitute a practical difficulty. All three standards must be met in order to grant the variance:

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*

The applicant is proposing to construct a monument sign for a residential development. The applicant is proposing to locate the monument sign 3 feet from the property line along Sandhill Parkway NE and 4 feet and 10 inches from the property line along 189th Lane NE where a 20-foot minimum setback is required. This location would be 23 feet from the curb of Sandhill Parkway NE and 20 feet from the curb of 189th Lane NE. The sign would be parallel to 189th Lane, allowing for the sign to be visible to drivers going both north and south along Sandhill Parkway NE. The proposed sign location is outside of the 30-foot traffic visibility triangle required by Section 15 of the Zoning Code.

The Planning Commission may find that locating the proposed sign 3 feet from the property line along Sandhill Parkway NE and 4 feet and 10 inches from the property line along 189th Lane NE where a 20-foot setback is required is reasonable because this location allows the sign to be readable by traffic along Sandhill Parkway and remains outside the traffic visibility triangle.

The Planning Commission may find that locating the proposed sign 3 feet from the property line along Sandhill Parkway NE and 4 feet and 10 inches from the property line along 189th Lane NE is not reasonable because this sign may need to be relocated if the ROW or easements would be expanded in the future.

2. *Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

The applicant provided several examples of alternative locations for the sign and justifications for why these sites are problematic. Staff finds that placing the sign to the south of 189th Lane NE places the sign in close proximity to the wetland and would still not meet setback requirements. Placing the sign at the intersection of Baltimore Street and Sandhill Parkway would require additional grading work or a retaining wall. Placing the sign further into the development limits its visibility from Sandhill Parkway, limiting its effectiveness as a development monument sign.

Additionally, there is a Drainage and Utility Easement located to the east of the proposed sign. The proposed location of the sign maintains the 10-foot utility around the fire hydrant shown on the Final Plat of Elevage EB Second Addition. Maintaining the orientation of the sign while moving it to meet the ROW setback would place the sign in the Drainage and Utility Easement.

The Planning Commission may find that the presence of wetlands, sloping topography, and the drainage and utility easement on this site are unique and justify locating the 3 feet from the property line along Sandhill Parkway NE and 4 feet and 10 inches from the property line along 189th Lane NE where a 20-foot setback is required.

The Planning Commission may find that there are no unique circumstances for this development, and the alternative location along 190th with the additional retaining wall would allow the sign to be located at the required setback.

3. *Character. A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

Development monument signs are typical of residential developments of this scale and are commonly placed in locations that are highly visible from the ROW. The proposed location of the sign places it at one of two access points for the development. The scale and design of this sign conforms to the architectural standards of the development and the standards established for signs in Chapter 54-4 of the City Code. The proposed location and orientation of the sign allows it to be readable to drivers traveling north and south along Sandhill Parkway. The proposed sign location does not impede traffic visibility, as it is placed outside of the 30-foot traffic visibility triangle required by Section 15 of the Zoning Code.

The Planning Commission may find that the proposed location of the monument sign is typical of a residential development of this scale and would effectively mark the entrance to this development. It would not be out of scale, out of place or otherwise inconsistent with the surrounding area.

The Planning Commission may find that the proposed location of the monument sign is out of place for this development and an alternative location may be just as effective at directing traffic to the development.

Summary

In order to grant a variance, the applicant must demonstrate that the request meets all three of the tests for “practical difficulties” including reasonable use of the land, uniqueness of the land that is out of the control of the owner, and that the request would not alter the existing character of the neighborhood. The Planning Commission should evaluate the request based on the application material, contents of the staff report, testimony from the public hearing, and discussion. If the Planning Commission finds one or more of the tests are not met, they must recommend denial of the variance to the City Council who ultimately makes the final decision.

Staff has provided findings of fact for both approval and denial in the staff report. A draft resolution for approval and denial have been provided and may be modified to reflect the findings of the Planning Commission.

Requested Action

In consideration of the request, the Planning Commission has the following options:

A. Recommend Approval

If the Planning Commission finds that all three parts of the practical difficulties test has been met by the applicant, the Planning Commission may recommend approval of the variance request for the property located at Outlot A, Elevage EB Second Addition. A draft resolution with findings of fact and conditions of approval has been included in the packet.

B. Recommend Denial

Based on the applicant's submission, the contents of City Staff report, received public testimony, and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the request based on the finding that the applicant has not met the three-part practical difficulties test for the variance. A draft resolution with findings of fact has been included in the packet.

Attachments:

1. Draft resolution for approval
2. Draft resolution for denial
3. Location map
4. Elevation EB Second Addition Final Plat
5. Applicant Site plan dated 6/19/2025
6. Applicant Narratives dated 5/29/2025 and 6/11/2025
7. City Engineer's comments dated 6/6/2025
8. Public Works Manager's comments dated 6/12/2025

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2025-XX

A RESOLUTION **GRANTING** A VARIANCE FROM CHAPTER 54-4, SUBDIVISION 2 OF THE CITY CODE FOR THE LOCATION OF A DEVELOPMENT MONUMENT SIGN WITHIN 20 FEET OF PUBLIC RIGHT-OF-WAY ON A PROPERTY LOCATED AT THE NORTHEAST CORNER OF SANDHILL PARKWAY NE AND 189TH LANE NE (PIN: 29-33-23-43-0010) LEGALLY DESCRIBED AS:

OUTLOT A ELEVAGE EB 2ND ADDITION

WHEREAS, the applicant, Alec Jensen of Elevage Development Group, requested a variance for the location of a development monument sign 3 feet from the property line along Sandhill Parkway NE and 4 feet and 10 inches from the property line along 189th Lane NE where a 20-foot setback is required within the Elevage EB Planned Unit Development, and;

WHEREAS, the applicant has requested approval to allow a sign structure to be constructed in an unbuildable outlot, and;

WHEREAS, the Planning Commission held a public hearing on June 24, 2025 and recommended approval; and,

WHEREAS, the City finds the request:

1. Is a reasonable request:
 - The proposed location allows the sign to be readable by traffic along Sandhill Parkway and abides by the City's standards for traffic visibility.
 - The approximate location of a development monument sign is shown within the PUD site plans.
2. Is due to circumstances unique to the property, not caused by the landowner;
 - The presence of wetlands, sloping topography, and the drainage and utility easement on this site are unique and limit the possible locations a sign may be placed.
3. Will not have a negative effect on the character of the neighborhood;
 - The proposed location of the monument sign is typical of a residential development of this scale and would effectively mark the entrance to this site. It would not be out of scale, out of place or otherwise inconsistent with the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby approves a variance from Chapter 54-4, Subdivision 2 of the City Code for the location of a development monument sign on the property identified as Outlot A, Elevage EB Second Addition, subject to the following conditions:

1. A variance is approved to allow a 3-foot setback to the west and 4-foot and 10-inches setback to the south where a 20 foot setback is required for the Elevage EB Second Addition monument sign, in accordance with the plans and application received by the City on May 28, 2025 and additional information received on June 19, 2025, excepted as amended by this resolution.
2. The City Council authorizes construction of the sign on an outlot, which is typically considered unbuildable by Section 12-1C of the City Code.
3. The applicant obtains a building permit from the City prior to construction of the proposed sign.
4. In the event that the expansion of right-of-way or easements in the sign area would require the removal or relocation of the proposed sign, the Owner shall not be entitled to compensation for the sign, and the sign shall be removed or relocated at the Owner's expense.

Adopted this 14th day of July, 2025 by the City Council of the City of East Bethel

CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2025-XX

A RESOLUTION **DENYING** A VARIANCE FROM CHAPTER 54-2, SUBDIVISION 2 OF THE CITY CODE FOR THE LOCATION OF A DEVELOPMENT MONUMENT SIGN WITHIN 20 FEET OF PUBLIC RIGHT-OF-WAY ON A PROPERTY LOCATED AT THE NORTHEAST CORNER OF SANDHILL PARKWAY NE AND 189TH LANE NE (PIN: 29-33-23-43-0010) LEGALLY DESCRIBED AS:

OUTLOT A ELEVAGE EB 2ND ADDITION

WHEREAS, the applicant, Alec Jensen of Elevage Development Group, requested a variance for the location of a development monument sign 3 feet from the property line along Sandhill Parkway NE and 4 feet and 10 inches from the property line along 189th Lane NE where a setback of 20 feet is required within the Elevage EB Planned Unit Development, and;

WHEREAS, the Planning Commission held a public hearing on June 24, 2025; and,

WHEREAS, the City finds the request:

1. Is not a reasonable request:
 - The sign may need to be relocated or removed if right-of-way or easements are to be expanded in the future.
2. Is not due to circumstances unique to the property, not caused by the landowner;
 - There are no unique circumstances for this development.
 - The alternative location along 190th with the additional retaining wall would allow the sign to be located at the required setback.
3. Will have a negative effect on the character of the neighborhood;
 - The proposed location of the monument sign is out of place for this development and an alternative location would be just as effective at directing traffic to the development.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby denies a variance from Chapter 54-4, Subdivision 2 of the City Code for the location of a development monument sign on the property identified as Outlot A, Elevage EB Second Addition.

Adopted this 14th day of July, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

Outlot A, Elevation EB Second Addition



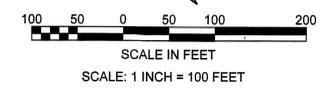
- Parcels
- City Mask

1 inch equals 557 feet



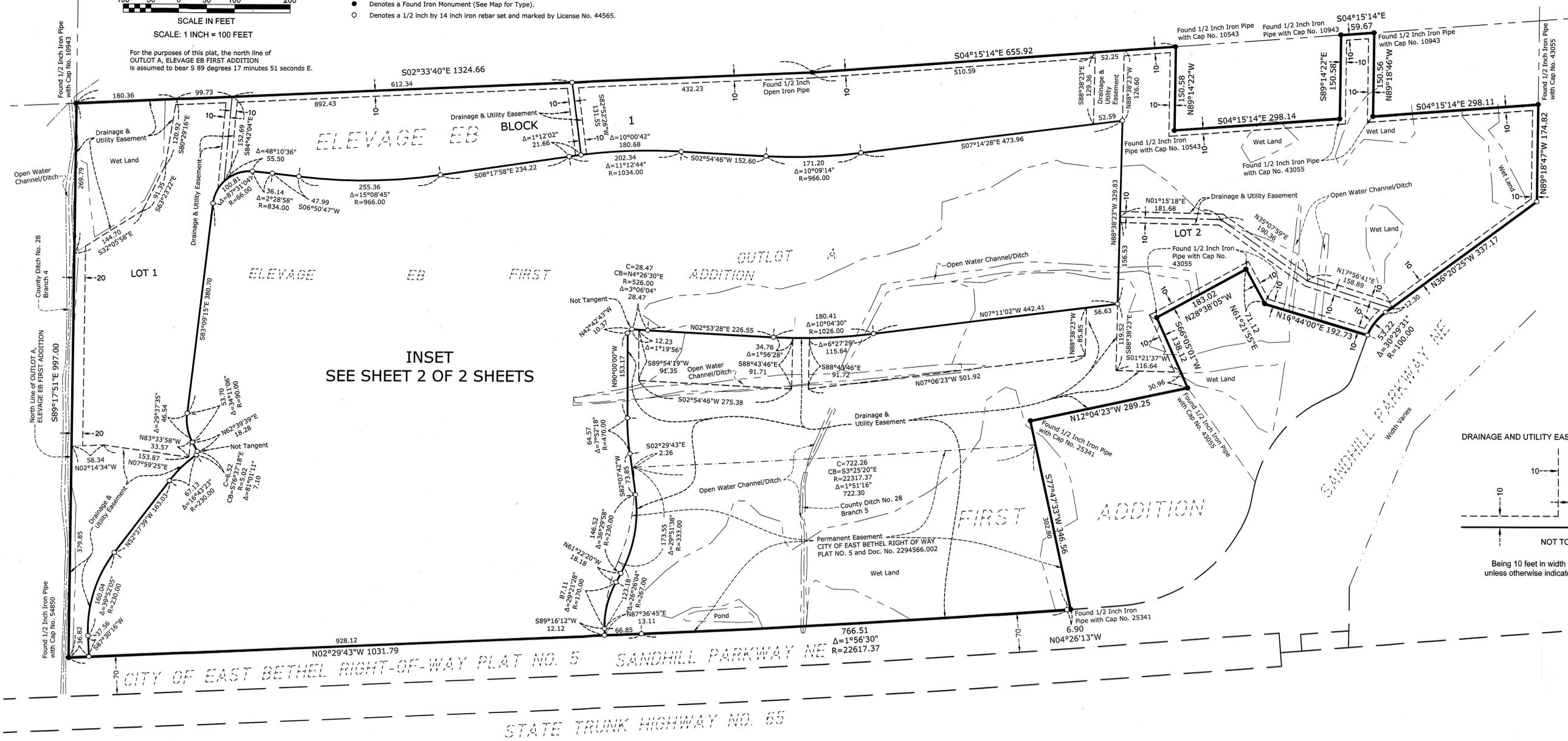
ELEVAGE EB SECOND ADDITION

CITY OF EAST BETHEL
COUNTY OF ANOKA
SECS. 29, 32, T. 33, R. 23

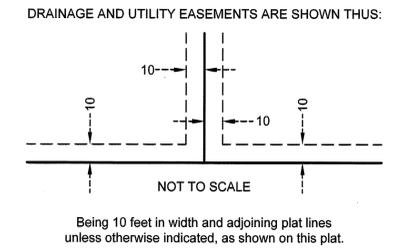


- Denotes a Found Iron Monument (See Map for Type).
- Denotes a 1/2 inch by 14 inch iron rebar set and marked by License No. 44565.

For the purposes of this plat, the north line of OUTLOT A, ELEVAGE EB FIRST ADDITION is assumed to bear S 89 degrees 17 minutes 51 seconds E.



INSET
SEE SHEET 2 OF 2 SHEETS



KNOW ALL PERSONS BY THESE PRESENTS: That Elevage EB Holdings, LLC, a Minnesota limited liability company, owner of the following described property:
OUTLOT A, ELEVAGE EB FIRST ADDITION, Anoka County, Minnesota.

Has caused the same to be surveyed and platted as ELEVAGE EB SECOND ADDITION and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Elevage EB Holdings, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this 22 day of AUGUST, 2023.

Elevage EB Holdings, LLC
By: [Signature] Its MANAGER

STATE OF MINNESOTA, COUNTY OF ANOKA
This instrument was acknowledged before me this 22 day of AUGUST, 2023, by COREY L. BULSTAD

MANAGER of Elevage EB Holdings, LLC, a Minnesota limited liability company, on behalf of the company.
By: [Signature] KELSEY COLLING
Notary Public, Signature Notary Public, Printed Name
My Commission Expires: JAN. 31, 2024

Notary Public ANOKA County, MINNESOTA

SURVEYORS CERTIFICATE
I, Rory L. Synstelen do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this 21st day of AUGUST, 2023.
Rory L. Synstelen, Licensed Land Surveyor
Minnesota License No. 44565

STATE OF MINNESOTA, COUNTY OF RAMSEY
This instrument was acknowledged before me this 21st day of AUGUST, 2023 by Rory L. Synstelen.
By: [Signature] Cody E. Johnson
Notary Public, Signature Notary Public, Printed Name
Notary Public RAMSEY County, MINNESOTA
My Commission Expires: January 31, 2027

CITY COUNCIL
City Council, City of East Bethel, Minnesota
This plat of ELEVAGE EB SECOND ADDITION was approved and accepted by the City Council of the City of East Bethel, Minnesota at a regular meeting thereof held this 26th day of December, 2022, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.
By: [Signature] Jack Davis
Mayor Clerk

COUNTY SURVEYOR
I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this 12th day of September, 2023.

By: [Signature] David M. Ziegler
David M. Ziegler
Anoka County Surveyor

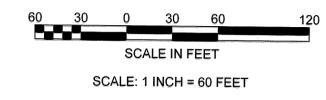
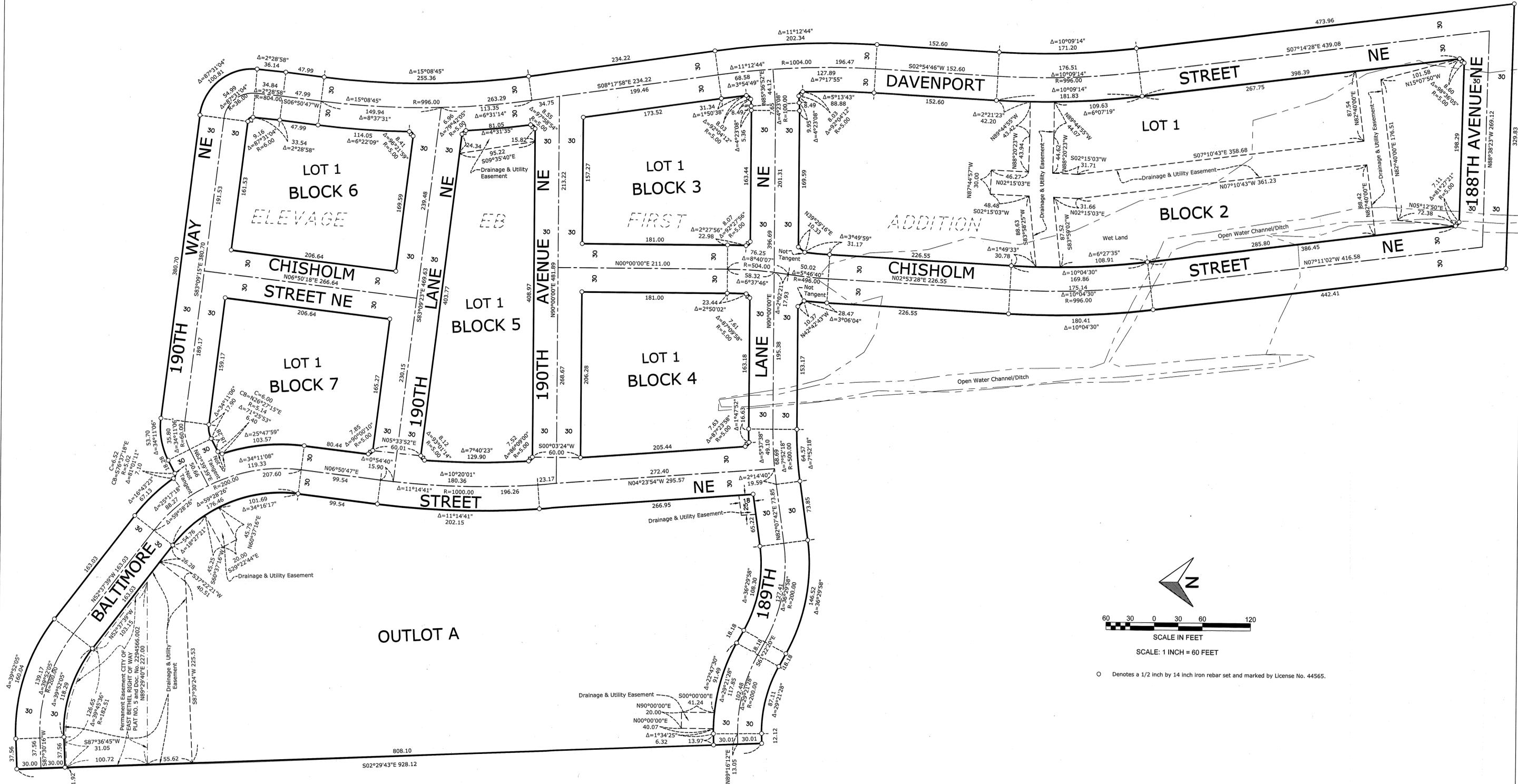
COUNTY AUDITOR/TREASURER
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 2023 on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this 12 day of September, 2023.

By: [Signature] Pamela J LeBlanc
Property Tax Administrator Deputy

COUNTY RECORDER/REGISTRAR OF TITLES
County of Anoka, State of Minnesota
I hereby certify that this plat of ELEVAGE EB SECOND ADDITION was filed in the Office of the County Recorder/Registrar of Titles for public record on this 12 day of September, 2023, at 11:01 o'clock A.M. and was duly recorded as Document Number 2398673.002

By: [Signature] Pamela J LeBlanc
County Recorder/Registrar of Titles Deputy

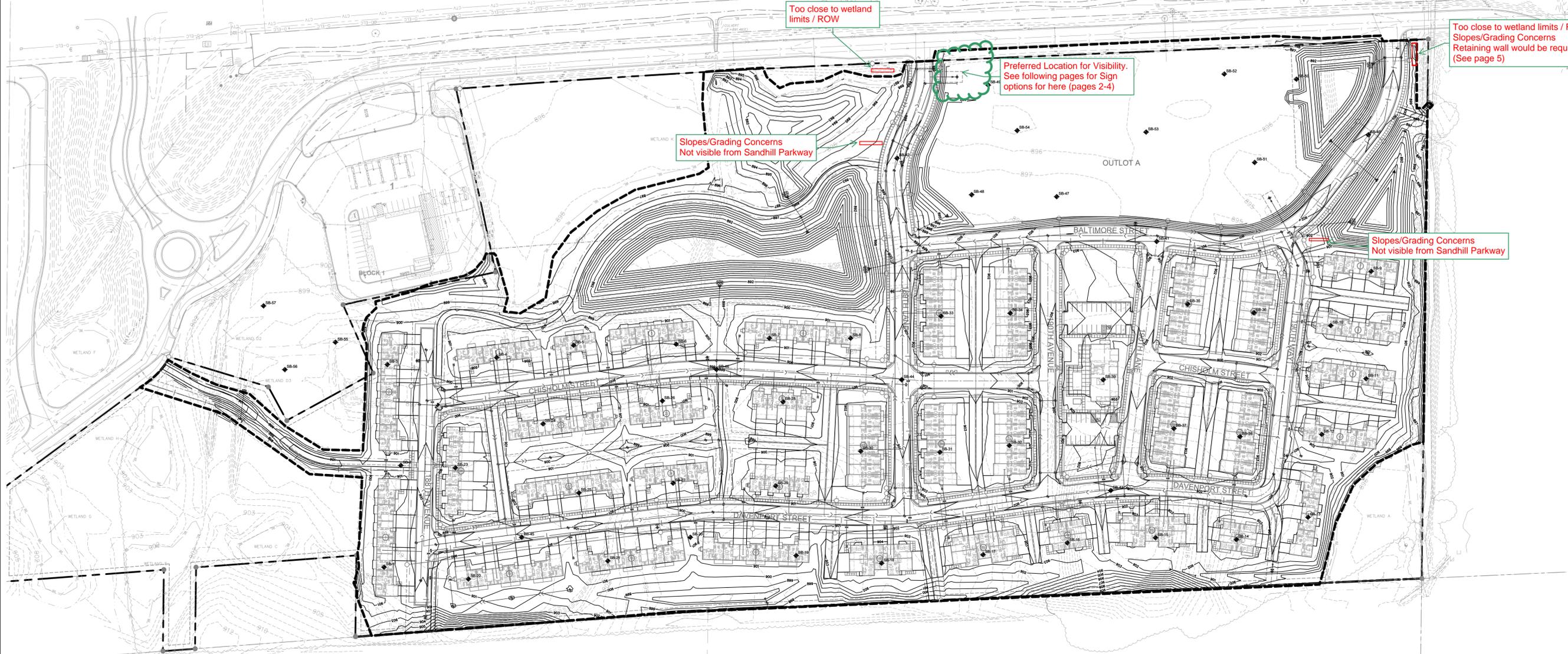
ELEVAGE EB SECOND ADDITION



○ Denotes a 1/2 inch by 14 inch iron rebar set and marked by License No. 44565.

#56

STATE TRUNK HIGHWAY NO. 65



PROJECT
SANDHILL PARKWAY TOWNHOMES OF EAST BETHEL
EAST BETHEL, MN 55011
ELEVAGE DEVELOPMENT GROUP
10901 BALTIMORE ST NE, BLAINE, MN 55449

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Matthew R. Pavak
Matthew R. Pavak
DATE 04/24/24 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
02/12/2024	CITY SUBMITTAL
03/13/2024	CITY SUBMITTAL
05/08/2023	CITY SUBMITTAL/PRICING SET
05/16/2023	REVISED PRICING SET
07/14/2023	CITY RESUBMITTAL
08/24/2023	CITY RESUBMITTAL
09/14/2023	CITY RESUBMITTAL
10/09/2023	CITY RESUBMITTAL
11/09/2023	SWPPP REVISIONS
01/19/2024	BID SET
01/31/2024	REVISED BID SET
03/08/2024	CITY RESUBMITTAL
04/12/2024	SET UPDATE
04/26/2024	CITY RESUBMITTAL

DRAWN BY: RB,MD,JR,BN REVIEWED BY: MP, PS
PROJECT NUMBER: 21268

REVISION SUMMARY

DATE	DESCRIPTION

OVERALL GRADING PLAN
C3.0
© COPYRIGHT CIVIL SITE GROUP INC.

CITY OF EAST BETHEL GRADING NOTES:

- RESERVED FOR CITY SPECIFIC GRADING NOTES.

ENVIRONMENTAL GRADING NOTE:

- GRADING WITHIN THE WETLAND ENHANCEMENT AREA SHALL BE ACCOMPLISHED USING A BACKHOE, WHICH WILL LOAD MATERIAL DIRECTLY INTO HAUL TRUCKS TO MOVE THE MATERIAL TO AN UPLAND AREA. THE INTENT IS TO AVOID TEMPORARY FILL IN THE WETLAND, WHICH COULD TRIGGER THE NEED FOR A US ARMY CORPS OF ENGINEERS (USACE) PERMIT OR AUTHORIZATION.

EROSION CONTROL NOTES:
SEE SWPPP ON SHEETS SW1.0 - SW1.11

GROUNDWATER INFORMATION:
PER GEOTECHNICAL REPORT BY TERRACON, INC., DATED 05-10-2023. AN ADDENDUM TO THE REPORT WAS COMPLETED ON 6-27-23. GROUNDWATER WAS OBSERVED AT ELEVATIONS RANGING FROM 886.50 TO 908.00.

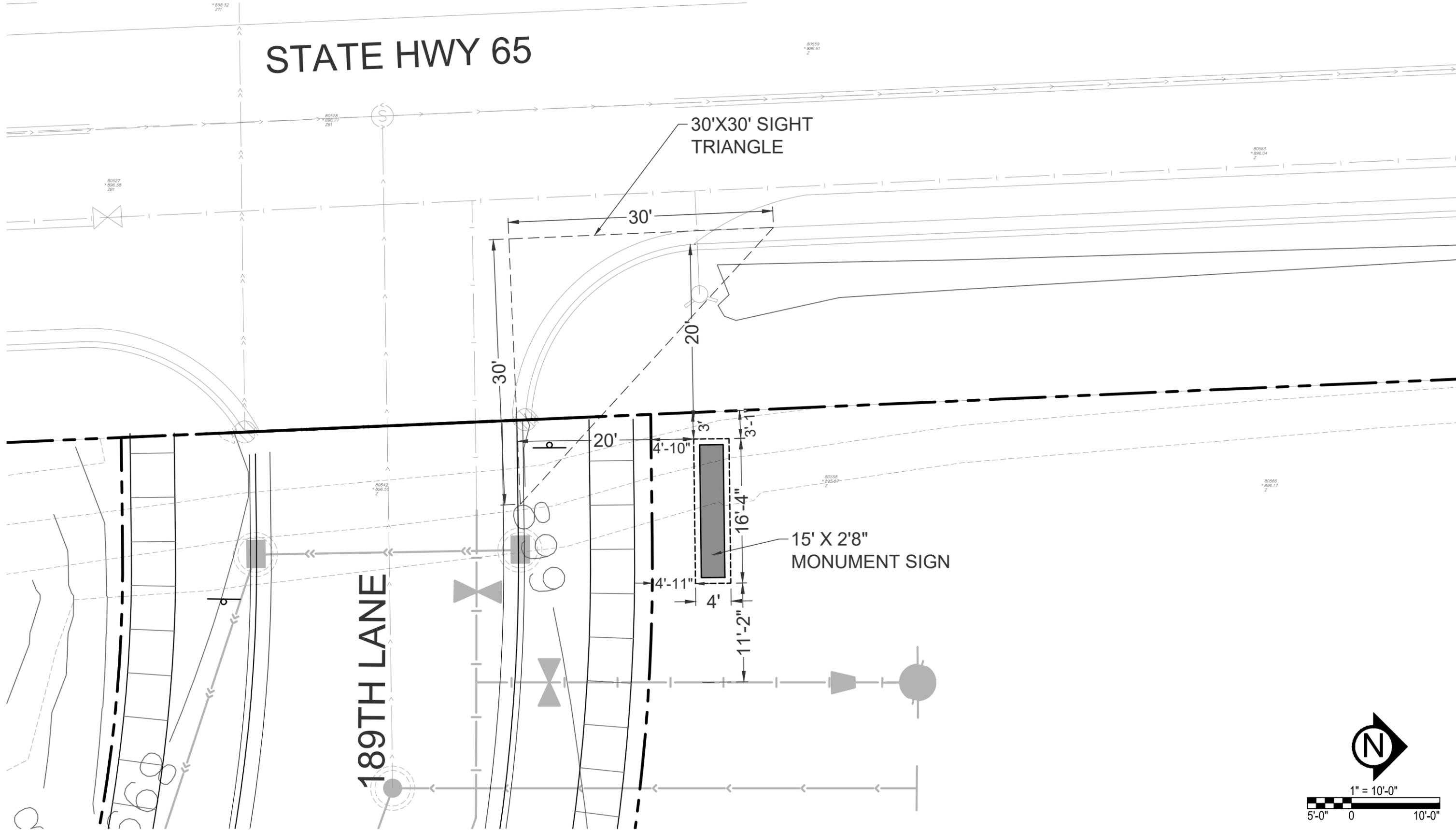
THE BORINGS & GROUNDWATER ARE AS FOLLOWS:		ADDENDUM BORINGS & GROUNDWATER ARE AS FOLLOWS:	
SB-1	899.00	SB-37	897.50
SB-2	896.00	SB-38	896.50
SB-3	891.50	SB-39	896.50
SB-4	895.00	SB-40	889.50
SB-5	892.00	SB-41	893.00
SB-7	896.00	SB-42	893.00
SB-8	895.00	SB-43	908.00
SB-9	894.00	SB-44	895.00
SB-10	895.00	SB-45	896.00
SB-11	897.00	SB-46	895.50
SB-12	894.00	SB-47	893.00
SB-13	894.00	SB-48	894.00
SB-14	895.50	SB-49	890.00
SB-15	N.A.	SB-50	881.50
SB-16	N.A.	SB-51	891.00
SB-22	898.50	SB-52	888.00
SB-24	895.50	SB-53	886.50
SB-25	896.00	SB-54	891.00
SB-26	895.00	SB-55	893.00
SB-27	894.00	SB-56	895.00
SB-33	894.00	SB-57	892.50
SB-34	899.00		
SB-35	891.50		
SB-36	895.00		

GRADING PLAN LEGEND:

1125	EX. 1' CONTOUR ELEVATION INTERVAL
1137	1.0' CONTOUR ELEVATION INTERVAL
41.26	SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
891.00 G	SPOT GRADE ELEVATION GUTTER
891.00 TC	SPOT GRADE ELEVATION TOP OF CURB
891.00 BS/TS	SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
891.00 ME	SPOT GRADE ELEVATION MATCH EXISTING
⊙	GRADE BREAK - HIGH POINTS
T.O.	CURB AND GUTTER (T.O. = TIP OUT)
→	EMERGENCY OVERFLOW



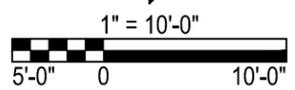
STATE HWY 65



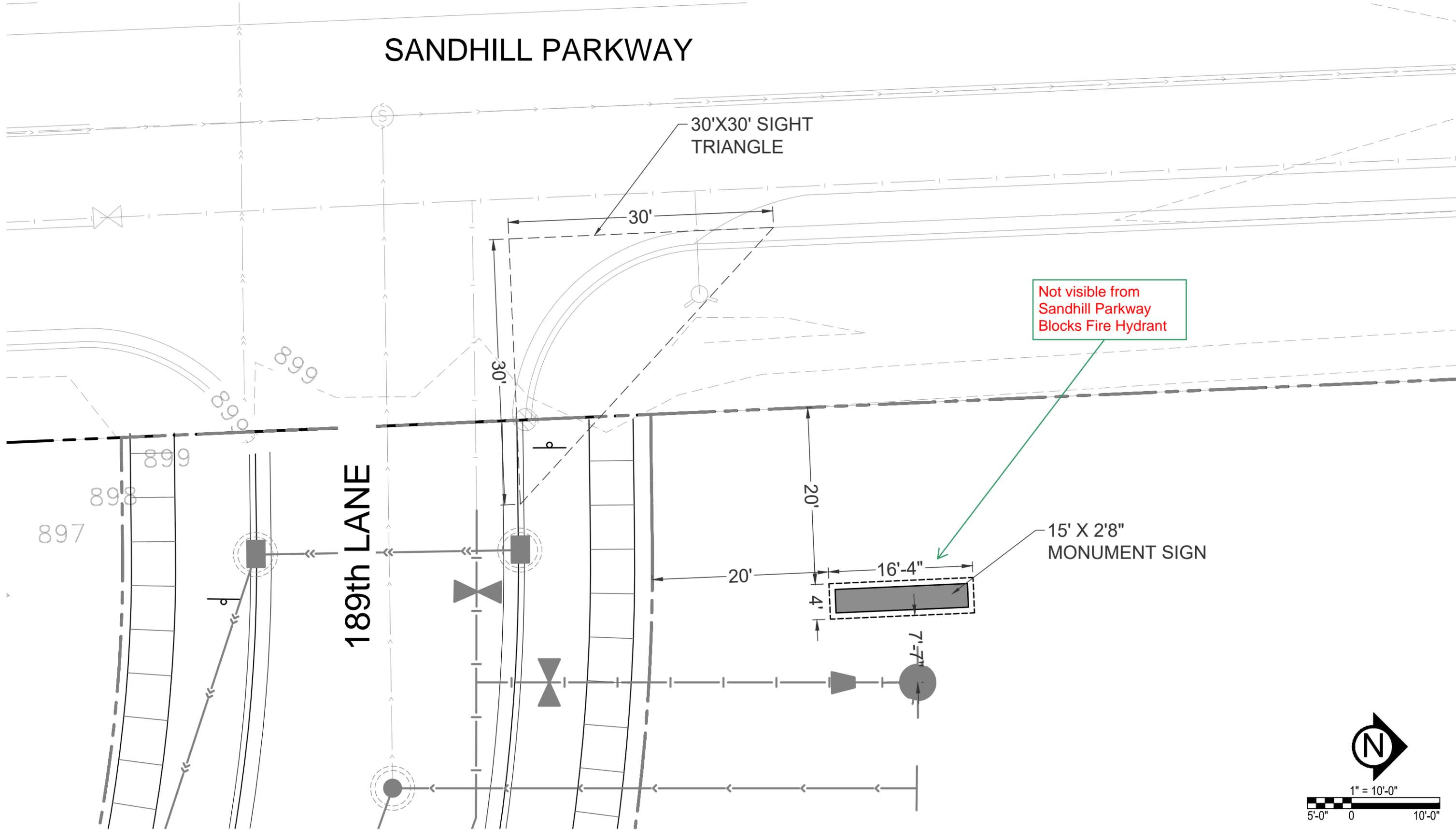
189TH LANE

30'X30' SIGHT TRIANGLE

15' X 2'8" MONUMENT SIGN



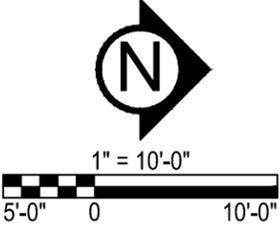
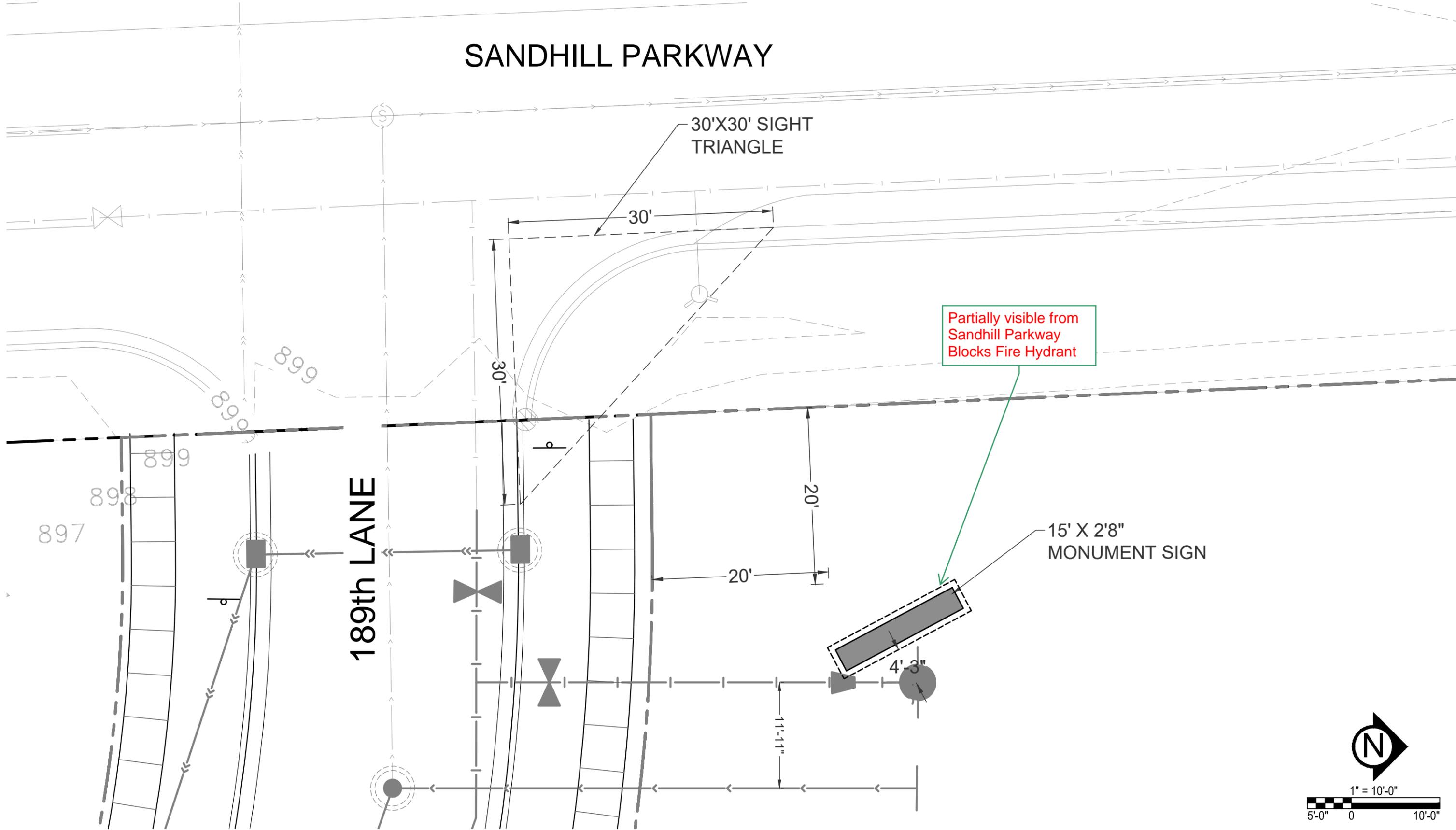
SANDHILL PARKWAY

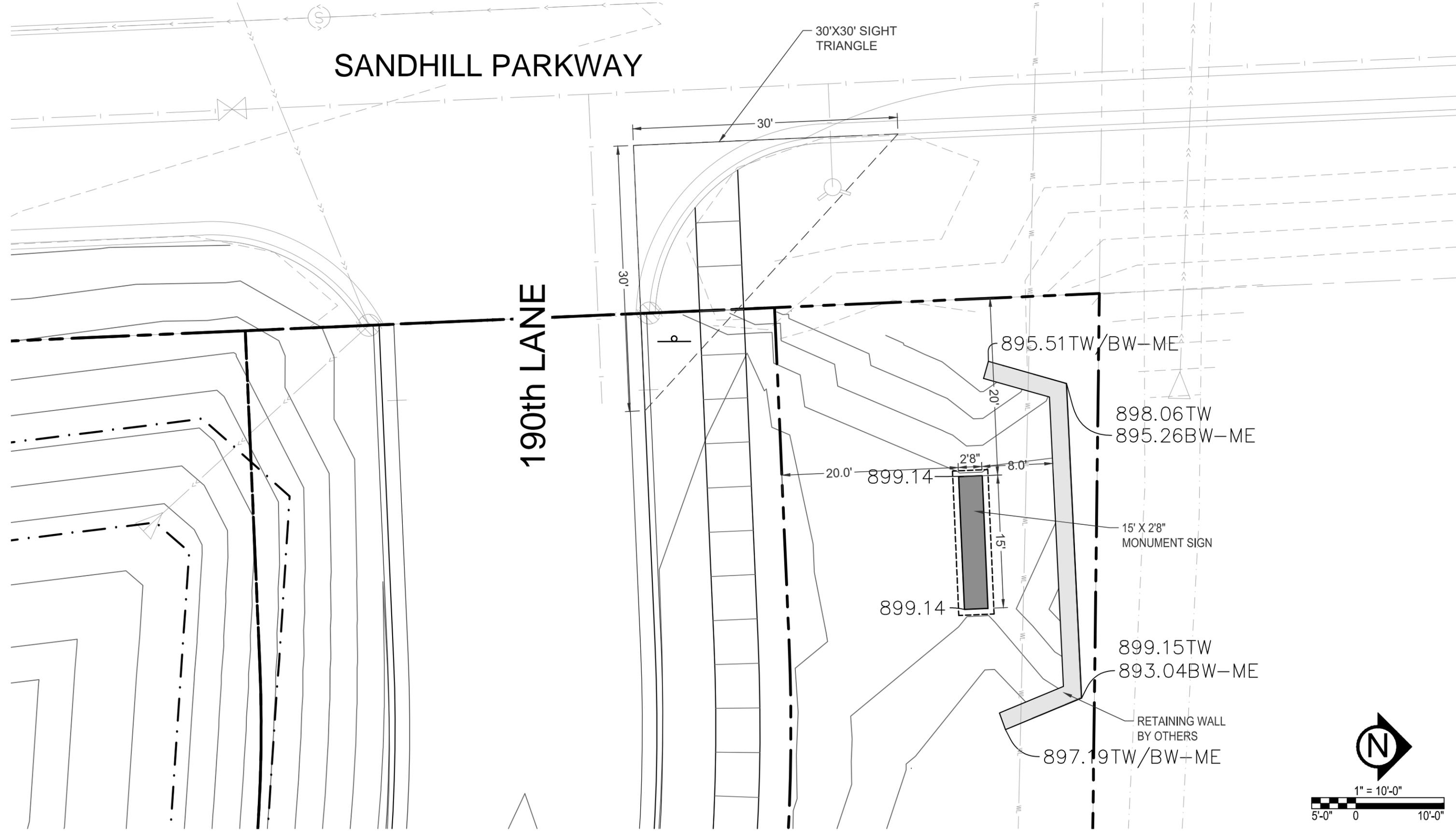


MONUMENT SIGN

EAST BETHEL

SANDHILL PARKWAY





Practical Difficulties

The property owner proposes to use the property in a reasonable manner not permitted by an official control:

Developer is proposing to construct the monument sign within the 20' set back of the city right-of-way. The monument sign is required by the development agreement and will guide traffic effectively.

The plight of the landowner is due to circumstances unique to the property not created by the landowner:

The City of East Bethel construction guidelines prohibit the construction of a monument sign within 20' of the right-of-way. Due to the existing and improved wetlands of the site and the sloping topography, the location options are very limit and would likely place it behind a fire hydrant. Developer is seeking reprieve from this requirement so as not to inhibit access to the fire hydrant and maintain visual clearance of the sign at the primary traffic point to effectively direct traffic.

The variance, if granted, will not alter the essential character of the locality:

The variance requested will not alter the profile or character of the site as the location proposed is common for monument signs.



Craig Jochum

To: Grace Gerard; Eric Larson; Nate Ayshford; Jeff Cielocha; Nick Schmitz
Cc: Kendra Lindahl, AICP

Reply Reply All Forward ...

Fri 6/6/2025 8:34 AM

You replied to this message on 6/6/2025 8:45 AM.

Caution: This email originated outside our organization; please use caution.

Grace,

I don't have any engineering concerns. This intersection is a stop condition (on 189th Lane) so the sign placement where shown won't affect the site distance. It should be noted that the sign could be moved to 23 feet which would still put it 10 feet from the water service that will service Outlot A in the future. The existing hydrant at the end of the existing service line is temporary and will be removed when the service is extended north.



Craig Jochum, P.E.

President

Hakanson Anderson

Item 6.0; Attachment 7



Nate Ayshford

To: Grace Gerard

☺ Reply Reply All Forward ...

Thu 6/12/2025 1:53 PM



Hi Grace,

I agree with Craig's comments on the issue. The fire hydrant is only temporary so that shouldn't be a deciding factor.

For snow removal, we stay within the road ROW so it shouldn't be in an issue with us. There might be large piles of snow blocking the sign at times in the winter however.

We are ok with whatever you recommend on the issue.

Thanks,

**City of East Bethel
Planning Commission Meeting
Agenda Item Information**



Meeting Date: June 24, 2025

Agenda Item Number: 7

Request: Hold a public hearing and consider a variance request for a reduction of the front yard setback from 25 feet to 15 feet for a principal structure for the property located at 239 Aspen Road NE (PID #36-33-23-22-0093) (City File 25-017).

Review Deadline: August 1, 2025

Background/Context

The City's discretion in approving or denying a variance is limited to whether or not the proposed project meets the standards in the Zoning Ordinance for a variance. The City has a higher level of discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met.

On May 22, 2025, the City received a variance application and supporting materials from Tom Babineau, the owner of property at 239 Aspen Road NE, for a front setback variance for the construction of a single-family home. The request is a variance from Section 51.7, Subd. B of the Zoning Ordinance to allow a front setback reduction from 25 feet to 15 feet

This property is a 0.42-acre through lot with frontage along Aspen Road NE to the east and Lakeshore Drive NE to the west. The property is zoned and guided Coon Lake within the Shoreland Overlay District. The intent of the Coon Lake zoning and land use designation is to manage development of the many small, non-conforming lots surrounding Coon Lake. The intent of the Shoreland Overlay District is to regulate the use, subdivision, and development of shorelands to preserve and enhance the quality of public waters and environmental features. The surrounding properties are guided and zoned the same. The lot slopes down towards the lake. The proposed dwelling with an attached garage will replace an existing single-family home, detached garage, and 2 small accessory structures.

Analysis

Section 51.7, Subdivision B of the Zoning Ordinance establishes the setback standards within the Coon Lake Residential District. Principal structures must be setback 25 feet from the front property line. The garage portion of the proposed structure is located 15 feet from Aspen Road NE and the rest of the structure is setback 23 feet from Aspen Road. The proposed structure is setback 35.7 feet from Lakeshore Drive NE and 77.3 feet from the Ordinary High-Water Level of Coon Lake. The proximity of the lot to Coon Lake limits the potential locations for the home and septic site.

Section 4.10 of the Zoning Ordinance establishes standard for review of a variance request. Consideration of a variance requires the following three-factor test for practical difficulties. Economic considerations alone do not constitute a practical difficulty. All three must be met in order to grant the variance:

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*

The applicant is proposing to construct a single-family home and attached garage 15 feet from the front property line along Aspen Road NE. The proposed location meets the shoreline, rear yard, and side yard setbacks required within the Coon Lake District. The proposed septic system is south of the home, located 15 feet from the southern property line. The proposed well location is in the northeastern corner of the lot. The proposed structure and landscaping creates a total impervious coverage of 24.6% on the lot. No other variances are required for the construction of the proposed structure.

The applicant has stated the existing structure is not repairable, and the variance will allow him to demolish the structure and build a new structure on the lot. Staff has found that the existing principal structure appears to be in a state of disrepair. Additionally, the existing principal structure appears to be located approximately 20 feet from the front property line, making it a legal non-conforming structure due to its encroachment.

The Planning Commission could find that granting a setback reduction from 25 feet to 15 feet is reasonable, as it allows the applicant to demolish an existing structure that is in poor condition to build a new structure that can be utilized.

The Planning Commission could find that granting a setback reduction from 25 feet to 15 feet is not reasonable because the applicant may be able to change his plan to conform to the standards of the Zoning Code.

- 2. Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

This lot is adjacent to Coon Lake and slopes significantly towards the lake. According to the survey submitted by the applicant, the approximate grade of the slope extending west from the middle of the lot is 33%. Locating the home 15 feet from the western property line allows the applicant to reduce the amount of grading work required to build on the lot. Due to the slope of the lot and its proximity to the lake, the possible locations for the home and septic site are limited. The proposed septic site is located 20 feet south of the principal structure and 15 feet from the side yard property line to the south, and it cannot be shifted west due to the slope of the land and proximity of the lake. Increasing the front yard setback without encroaching on the setback from the lake would require shifting the home south, into the proposed septic site. This variance request was sent to the DNR for review, and no comments were provided.

The Planning Commission may find that the slope of the lot and its proximity to the lake are unique factors that restrict the ability of the structure to comply with the standards established in the Zoning Ordinance.

The Planning Commission may find that the applicant can alter his plan to accommodate the slope of the lot and proximity to the lake without a variance.

- 3. Character. A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

Several structures in this area of the Coon Lake Beach neighborhood have been issued setback variances due to their proximity to the lake and uniquely shaped lots, or exist and non-conforming structures. Staff finds that the primary structure on the adjacent property to the north is setback approximately 15 feet from the front yard property line, in-line with the proposed structure. Granting this variance would reduce the degree to which the proposed structure may impede the neighboring property's view of the lake.

The Planning Commission may find the front-yard setback reduction is consistent with the setbacks of other structures in this neighborhood and will not alter the essential character of the neighborhood.

The Planning Commission may find that the front-yard setback reduction would alter the existing character of the neighborhood.

Summary

In order to grant a variance, the applicant must demonstrate that the request meets all three of the tests for "practical difficulties" including reasonable use of the land, uniqueness of the land that is out of the control of the owner, and that the request would not alter the existing character of the neighborhood. If Planning Commission finds that one or more of the tests are not met, they must recommend denial of the variance to the City Council who ultimately makes the final decision.

Staff has provided findings of fact for both approval and denial in the staff report. A draft resolution for approval and denial have been provided and may be modified to reflect the findings of the Planning Commission.

Requested Action

In consideration of the request, the Planning Commission has the following options:

A. Recommend Approval

If the Planning Commission finds that all three parts of the practical difficulties test has been met by the applicant, the Planning Commission may recommend approval of the front yard setback variance request for the property located at 239 Aspen Road NE. A draft resolution with findings of fact and conditions of approval has been included in the packet.

B. Recommend Denial

Based on the applicant's submission, the contents of City Staff report, received public testimony, and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the request based on the finding that the applicant has not met the three-part practical difficulties test for the variance. A draft resolution with findings of fact has been included in the packet.

Attachments:

1. Draft resolution for approval
2. Draft resolution for denial
3. Location map
4. Applicant plans dated June 16, 2025
5. Applicant narrative dated May 22, 2025

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2025-XX

A RESOLUTION **GRANTING** A VARIANCE FROM SECTION 51-7, SUBDIVISION B OF THE CITY ZONING ORDINANCE FOR THE LOCATION OF A PRINCIPAL STRUCTURE WITHIN 25 FEET OF A FRONT PROPERTY LINE ON A PROPERTY LOCATED AT 239 ASPEN ROAD NE (PIN: 36-33-23-22-0093) LEGALLY DESCRIBED AS

LOTS 1, 2, 3, 4, 5, 26, 27, 28, 29, 30, 31 & 32 BLK 1 COON LAKE BEACH

WHEREAS, the applicant, Tom Babineau, requested a variance for the location of a principal structure 15 feet from the front property line where a 25-foot setback is required at 239 Aspen Road NE in the Shoreland Overlay District, and;

WHEREAS, the Planning Commission held a public hearing on June 24, 2025; and,

WHEREAS, the City finds the request:

1. Is a reasonable request:
 - This request allows the applicant to demolish an existing structure that is in poor condition to build a new structure that can be utilized.
2. Is due to circumstances unique to the property, not caused by the landowner;
 - The slope of the lot and its proximity to the lake are unique factors that restrict the ability of the structure to comply with the standards established in the Zoning Ordinance.
3. Will not have a negative effect on the character of the neighborhood;
 - The front-yard setback reduction is consistent with the setbacks of other structures in this neighborhood and will not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby approves a variance from 51-7, Subdivision B of the City Zoning Ordinance for the location of a principal structure on the property located at 239 Aspen Road NE (PIN: 36-33-23-22-0093), subject to the following conditions:

1. A variance is approved to allow a 15-foot setback along Aspen Road where a 25-foot setback is required for a principal structure.
2. The applicant obtains a building permit from the City prior to construction of the proposed dwelling.
3. No vehicles parked in the driveway will be allowed to extend into the public right-of-way.

Adopted this 14th day of July, 2025 by the City Council of the City of East Bethel

CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2025-XX

A RESOLUTION **DENYING** A VARIANCE FROM SECTION 51-7, SUBDIVISION B OF THE CITY ZONING ORDINANCE FOR THE LOCATION OF A PRINCIPAL STRUCTURE WITHIN 25 FEET OF A FRONT PROPERTY LINE ON A PROPERTY LOCATED AT 239 ASPEN ROAD NE (PIN: 36-33-23-22-0093) LEGALLY DESCRIBED AS

LOTS 1, 2, 3, 4, 5, 26, 27, 28, 29, 30, 31 & 32 BLK 1 COON LAKE BEACH

WHEREAS, the applicant, Tom Babineau, requested a variance for the location of a principal structure 15 feet from the front property line where a 25-foot setback is required at 239 Aspen Road NE in the Shoreland Overlay District, and;

WHEREAS, the Planning Commission held a public hearing on June 24, 2025; and,

WHEREAS, the City finds the request:

1. Is not a reasonable request:
 - The applicant may be able to change his plan to build a new single-family dwelling to conform to the standards of the Zoning Code.
2. Is not due to circumstances unique to the property, not caused by the landowner;
 - The applicant can alter his plan to accommodate the slope of the lot and proximity to the lake without a variance.
3. Will have a negative effect on the character of the neighborhood;
 - The front-yard setback reduction would alter the existing character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby denies a variance from Section 51-7, Subdivision B of the City Zoning Ordinance for the location of a principal structure 15-feet from the property line where a 25-foot setback is required on the property at 239 Aspen Road NE (PIN: 36-33-23-22-0093).

Adopted this 14th day of July, 2025 by the City Council of the City of East Bethel.

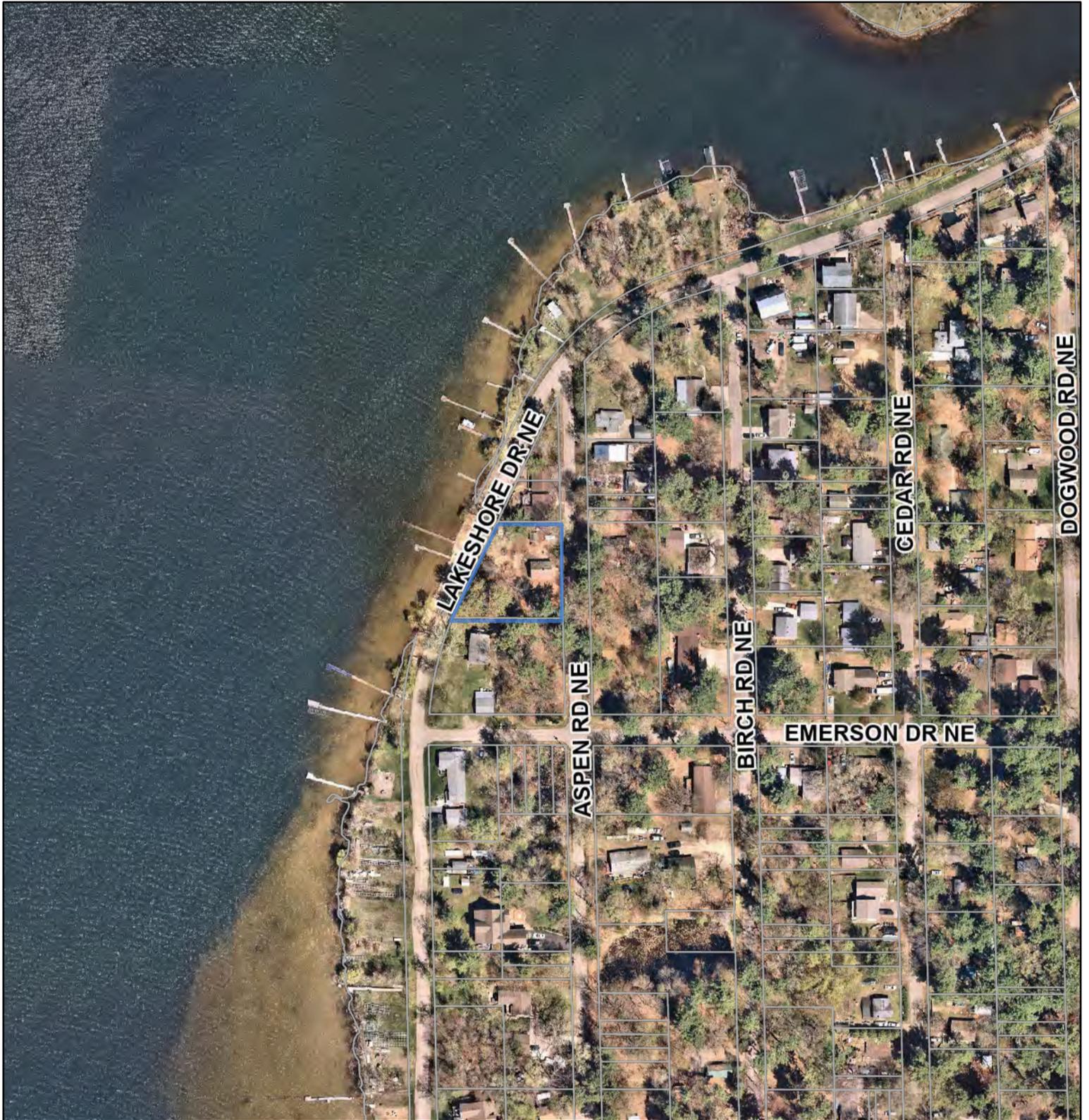
CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

239 Aspen Road Location and Aerial



-  Parcels
-  City Mask

1 inch equals 279 feet

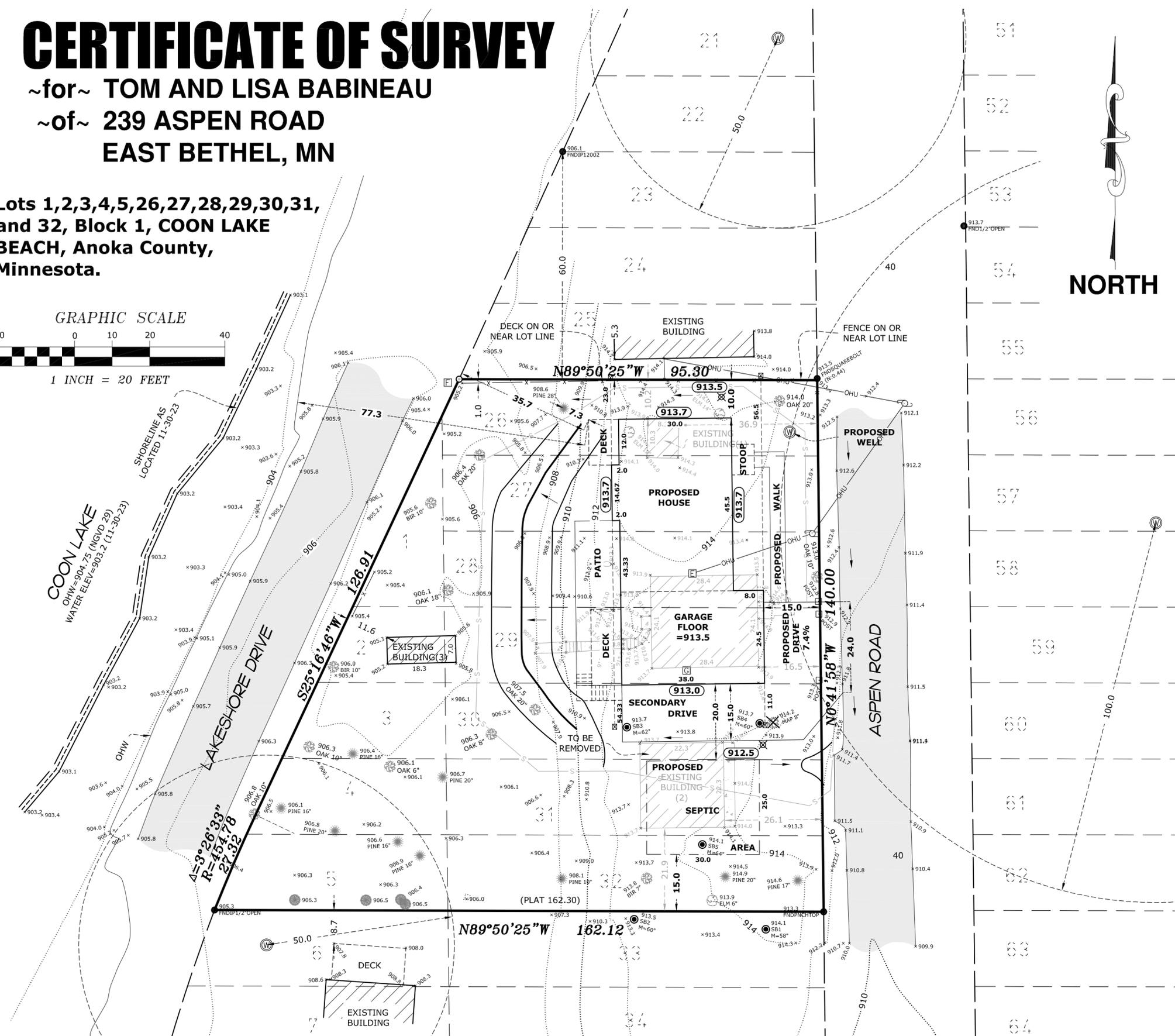
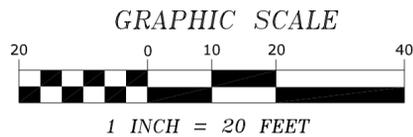


CERTIFICATE OF SURVEY

~for~ TOM AND LISA BABINEAU
 ~of~ 239 ASPEN ROAD
 EAST BETHEL, MN

Lots 1,2,3,4,5,26,27,28,29,30,31,
 and 32, Block 1, COON LAKE
 BEACH, Anoka County,
 Minnesota.

NORTH



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊗(800.0) DENOTES PROPOSED ELEVATION
- x1011.2 DENOTES EXISTING ELEVATION
- ↘ DENOTES DIRECTION OF DRAINAGE
- ⊗ DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET (UNLESS OTHERWISE NOTED)
- ⊠ DENOTES ELECTRICAL BOX
- ⊠ DENOTES FIBER OPTIC BOX
- ⊠ DENOTES GAS METER
- ⊠ DENOTES POWER POLE
- DENOTES SOIL BORING (BY TRADEWELL SOIL TESTING)
- x—x— DENOTES FENCE
- o—o—o— DENOTES RETAINING WALL
- ...— DENOTES EXISTING CONTOURS
- OHU— DENOTES OVERHEAD UTILITY
- S— DENOTES PROPOSED CONTOURS
- S— DENOTES SILT FENCE
- ▨ DENOTES BITUMINOUS SURFACE
- ▨ DENOTES CONCRETE SURFACE

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 11/30/23 and 12/07/23.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 36-33-23-22-0093.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Total parcel area = 18,074 S.F. (0.41 Acres)
- Septic design by Casper Excavating.
- Property is located within the Shoreland Overlay District.

DIAG: 40.00 X 92.00 = 100.32

(SLAB ON GRADE)

PROPOSED ELEVATIONS

TOP OF HOUSE SLAB = 914.2
 GARAGE FLOOR = 913.5 (DROP 8")

IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA 18,074 SF
 (0.41Acres)

EXISTING HOUSE 685 SF
 EXISTING BUILDING(1) 86 SF
 EXISTING BUILDING(2) 498 SF
 EXISTING BUILDING(3) 129 SF
 EXISTING CONCRETE 189 SF
 TOTAL IMPERVIOUS SURFACE 1,587 SF
 PERCENT IMPERVIOUS 8.8%

EXISTING BUILDING(3) 129 SF
PROPOSED HOUSE AND GARAGE 2,374 SF
PROPOSED DRIVEWAY 433 SF
PROPOSED SECONDARY DRIVE 822 SF
PROPOSED CONCRETE 695 SF
 TOTAL IMPERVIOUS SURFACE 4,453 SF
 PERCENT IMPERVIOUS 24.6%

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Jason E. Rud
 JASON E. RUD

Date: 6/13/2025 License No. 41578

DRAWN BY: RAF	JOB NO: 231201BT	DATE: 12-14-23	
CHECK BY: JER	FIELD CREW: BH/BJ		
1	05-21-25	ADDED SITE PLAN	RAF
2	05-22-25	CLIENT COMMENTS	RAF
3	05-30-25	CITY COMMENTS	RAF
4	06-02-25	REVISED DRIVE	RAF
5	06-13-25	ADDED WELLS	RAF

E.G. RUD & SONS, INC.
 EST. 1977
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

239 Aspen Rd,
East Bethel MN 55092

Property ID Number: 36-33-23-22-0093

Tom & Lisa Babineau
20 May 2025

Written description of the variance request

Requesting structure setback variance from Aspen Rd from 25 feet from property line to 10 feet from property line. The garage face will be 10 feet from the property line and house (set 8 feet back from the garage face, away from Aspen Rd) will be 18 feet from the property line on the Aspen Rd side. The current Aspen Rd Right of way is 20 feet from center of Right of way, Aspen Rd is set closer to my lot line likely to avoid removing several large white pines, so Aspen Rd does not run down the center of the Right of way.

Explanation of compliance with the variance practical difficulties criteria

As stated in the Variance Application Checklist:

This property is a unique shape and graded sloped down to Coon Lake where I am requesting a variance to move the house setback closer to Aspen Rd by 15 feet that would address the following:

- 1) Since the current structures are not repairable, my intent is to demo both structures (small cabin and detached garage) and build a new construction residential house on top of the north side of the slope. Currently Lang Builders, Inc. Circle Pines MN is the selected contractor.
- 2) 50 feet of the top south side of the lot will be occupied by new septic installation
 - 1) 10 ft set back from property line
 - 2) Approx. 20 ft of septic build
 - 3) 20 ft setback house from septic.
- 3) The remaining top north side of the lot will be occupied by the new house construction.
- 4) With the current Aspen Rd setback of 25 feet, this will set the new house out over the majority of the slope requiring a lot of fill to be brought in and the large white pine on the north side will have to be removed due to proximity to the new construction.

My goals with pursuing this variance:

- 1) Not to remove the huge 100yr old white pine on the north side of the lot and retain the beauty of the lakeshore.
- 2) Utilize more of the natural slope of the lot. Since a walkout design is not feasible due to the redox line depth identified with soil borings, our plan is to build a slab on grade home on this lot. Soil boring report attached.
- 3) Not build a large retaining wall that would detract from the natural beauty of the lake shore
- 4) Set the house farther away from the lake so it is more in line with the neighbor's house and not out in front of the neighbor's house blocking their view.
- 5) Improve the current state of the lot and increase overall property value.

**City of East Bethel
Planning Commission Meeting
Agenda Item Information**



Meeting Date: June 24, 2025

Agenda Item Number: 8

Request: Public Hearing. Consider a Draft Ordinance Amendment to address “barndominiums” in East Bethel

Review Deadline: N/A

Background Information

Staff was directed by the City Council to explore possible ordinance amendments to address “barndominiums” (or shouses) in East Bethel.

Over the last few months, staff has presented different options to the City Council who have now directed staff present the draft ordinance to the Planning Commission for a public hearing.

This Zoning Ordinance amendment has been identified as a priority for the City Council to address the comments and concerns expressed by the Council and other members of the community. The proposed ordinance amendment is discussed in detail below and attached to this report. Many of the changes are for clarification of the intent of the Zoning Ordinance. Other notable changes include new rules or regulation to expand barndominiums in East Bethel, and opportunities to clean up existing code sections that apply.

Planning Commission Review

The Planning Commission tabled this item at the May 27, 2025 and continued it to the June 24, 2025 meeting.

Analysis

Staff has worked to identify the specific sections of the code that will need to change to address the main issues (Size, Architecture, Home Occupations) with the current ordinance when discussing barndominiums. Staff recommends the following changes with underlined text for the proposed additions to the City Code and ~~struck through~~ text for the deletions. The specific code sections from Appendix A (The Zoning Ordinance) are as follows:

1. Section 1 subd. 9 (Definitions)

Two major changes needed for the rest of the changes are a definition for “barndominium” and updating the definition of “Accessory structure” to make it clearer it is both for “detached” and “attached” structures. Additionally, other specific definitions that should be called out include:

Barndominium: A single-family detached principal residential structure dwelling with attached shops or storage areas and usually built using a post frame method of construction.

Garage: A detached or attached accessory building designed or used for the parking and storage of vehicles owned and operated by residents of the principal structure on the same lot.

Home occupation: An occupation carried on in a dwelling unit or detached accessory building by the resident, which is clearly secondary to the principal use.

Principal building or use: The main use of buildings or land in which the principal use of the property is conducted.

Finally, throughout the Zoning Ordinance, building and structure are used interchangeably. This causes unnecessary confusion and should be updated as part of a Zoning Ordinance update as they do have the following definitions in the zoning ordinance:

Building: Any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals, or property.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Using the definitions in the ordinance, all buildings are structures but not all structures are buildings. The scope of this effort is limited, but as part of a future update, the City should review the terms to ensure that they are used consistently and accurately throughout the ordinance.

2. Section 10 (General Development Regulations) subd. 19 (Home Occupations)

The Home Occupation subdivision is a section that was identified from previous discussions with the Council. A need was identified to ensure home occupations could continue to be monitored and enforced even if barndominiums were to increase in frequency. For all types of home occupation permits, there is a provision found below:

i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure.

With any type of housing this would restrict the amount of a principal structure that may be used for the home occupation purpose. For example, a 2,000 sq. ft. house with a 1,000 sq ft attached garage could only use 500 sq. ft. of the attached garage for the home occupation. This would generally prohibit home occupation from occurring on the lot in a detached accessory structure. The following addition has been made to this section to clarify that it is possible through the Home Occupation application process:

a. The structure shall not be used for commercial or industrial activities, unless the City Council approves a home occupation permit for an accessory building.

3. Section 13 (General Building standards)

This section contains the standard architecture and design requirements for residential structures in East Bethel. Currently, for single-family homes, the code allows the following for materials:

The exterior walls of all single-family residences shall be similar in appearance to normal wood, vinyl siding, or masonry residential construction

Metal siding is not mentioned and would not be considered a “similar in appearance material” when compared to the approved list.

Examples from Menards barndominium designs and a cut sheet of the metal siding used in their designs are attached to this report. While they offer three metal siding panel options, the proposed ordinance changes would only allow two of the choices due to the desire to require hidden fasteners for a more residential appearance.

After discussion with the City Council, the following changes are proposed to allow metal siding for any residential structure, but add additional rules for barndominiums given their size and appearance:

4) Metal siding may be used if it complies with the following standards

a. The panels have been treated with a factory applied color coating system to prevent against any fading or degradation.

b. Have concealed fasteners

c. Standing seams are not allowed.

d. For Barndominiums using metal siding they must:

i. Comply with the metal siding standards above and

ii. Combine the metal siding with complementary materials, such as brick, wood, or stone, covering at least 20% of the building's front façade. Metal siding of a different style (such as using lap siding and shake panels) may be used to meet this requirement.

Additionally, the City Council discussed foundation types as many barndominiums would not meet City Code currently due to violation of the foundation requirements, which are stricter than the MN State Building Code. After discussion with the Building Official and City Council, review of the State Building Code would allow the following modification:

1) *All structures shall have permanent or concrete or treated wood foundations which will anchor the structure, which comply with the state building code as adopted in the State of Minnesota, ~~and which are solid for the complete perimeter of the house.~~*

2) All structures must have a foundation that is solid for the complete perimeter of the house, except Barndominiums, which may use alternative foundations types as long as they comply with the state building code adopted in the State of Minnesota and are verified by a licensed structural engineer.

~~2)3)~~ *All single-family structures must be built in conformance with Minn. Stats. § 327.31—327.35 of the state building code as adopted in the State of Minnesota.*

This change would allow more flexible foundation types for barndominiums. Many people cite cost as a reason for choosing the post frame method of construction, but the addition of higher load requirements necessitates a structural engineer design the foundation, which may make either method comparable in total cost.

4. Section 14 (Detached Accessory Structures)

This section implies throughout that it applies to both “detached” and “attached” accessory structures. Because of this, the section title should be renamed, and the subdivisions reordered to clearly label which items apply to each type of accessory structure or to both. The goal of these changes is to understand the original intent of the ordinance and make it clear for both staff and the public when reading the code.

Staff found that the size and number of detached accessory structures is generally consistent with similar and nearby communities, as well as the design requirements. Additionally, staff finds that the size restrictions provided in the code are intended for detached buildings only, not attached.

Currently, East Bethel requires a minimum of a 24 ft x 24 ft (576 sq. ft.) garage for each dwelling unit for single-family, two-family, and townhome residential uses. The code also regulates the minimum floor area for uses in all districts. The provision added shown below would help regulate attached building size when you begin to get to larger lots:

A. *Size of attached accessory ~~structure~~-building:*

1) Attached accessory buildings, including garages, with a footprint of less than 1,000 square feet shall not be considered as part of the maximum footprint for purposes of the detached accessory structure calculations. However, attached accessory building space in excess of the initial 1,000 square feet shall be counted towards the maximum allowable detached accessory building footprint.

This addition would help regulate extra large garages for any residential use type, including barndominiums. Staff feels that any additional restrictions would be unnecessary as lot size, setback requirements and minimum living space floor area standards for each district would self-regulate and prevent absurdly large garage spaces attached to homes. The existing restrictions would also make it difficult to build a barndominium type home outside of the A and RR districts due to setbacks and size restrictions on urban lots.

When looking at the Menards examples of barndominiums, the range of total square footage ranges from 2,900 sq. ft. to 6,000 sq. ft. including garage and living area. Additionally, the garages range from 570 sq. ft. to over 3,500 sq. ft. total. Comparing the garage size to the living space size however shows a wide variation.

The smallest variation was 1,358 sq. ft. home attached to a 570 sq. ft. garage, or a home with 29% dedicated to garage space. This is typical of many standard single-family homes, and not exclusive of barndominiums. This design would not meet the standards for construction in East Bethel due to the garage size being too small.

The largest variation was 2,776 sq. ft. home attached to a 3,481 sq. ft. garage, or a home with 55.6% garage. This is closer to what the definition used for a barndominium. There are other examples ranging from 50.1% to 55% of the total space dedicated to garage, with some lofted or vaulted ceilings.

Additionally, with the above example ordinance section, the largest barndominium size home example would require a lot size of at least 3.5 acres to build. This would be the 1,000 sq. ft. allowed outright, and an additional 2,481 sq. ft. of detached accessory structures allowed. These types of homes would be restricted to A and RR zones but would limit the size allowed for the attached garage space in the RR district. The RR district allows 2-acre lots.

5. Section 41 (Agricultural District (A)) and Section 42 (Rural Residential District (RR))

Both of these sections will need to include a barndominium as a permitted use to stay cohesive throughout the code.

These changes can be found in the attached draft ordinance amending the Zoning Ordinance.

Summary: The changes allow an opportunity to clean up and organize sections of the code and clarify intent for many ordinances not only around barndominiums, but for all buildings in East Bethel. Planning staff worked closely with other City departments and the City Council to address concerns related to barndominiums and housing in East Bethel.

Attachments:

1. Draft Ordinance Amending the Zoning Ordinance
2. MN Building Code Handout
3. Menards Cutsheet Examples
4. Metal Siding Cutsheet Example
5. Foundation Types Example

Requested Planning Commission Action:

The Planning Commission should open the public hearing, take public testimony and recommend one of the following options:

1. **Move to recommend approval** of the ordinance amendment as drafted.
2. **Move to recommend approval** of the ordinance amendment with modifications.

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

ORDINANCE NO. 2025-XX

**AN ORDINANCE AMENDING THE TEXT OF APPENDIX A (ZONING) OF THE EAST
BETHEL CITY CODE (CITY FILE 25-006)**

THE CITY OF EAST BETHEL ORDAINS:

SECTION 1. Amendment of the City Code. The text of Appendix A (Zoning) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

SECTION 1 SUBD. 9 (Definitions):

Accessory structure ~~or facility~~: Any building or improvement clearly subordinate to a principal use such as garages, sheds, or storage buildings located on the same parcel as the principal structure, including detached and attached buildings.

and

Barndominium: A single-family detached principal residential structure dwelling with attached shops or storage areas and usually built using a post frame method of construction.

and

Home occupation: An occupation carried on in a dwelling unit or detached accessory building by the resident, which is clearly secondary to the principal use.

SECTION 2. Amendment of the City Code. The text of Appendix A (Zoning), SECTION 10 SUBD. 32 (Residential accessory buildings greater than 1,000 square feet) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

A. The structure shall not be used for commercial or industrial activities, unless the City Council approves a home occupation permit for an accessory building.

SECTION 3. Amendment of the City Code. The text of Appendix A (Zoning), SECTION 13 SUBD. 1 (B) (General Building Standards, Single-family dwellings) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

A. All single-family dwellings and accessory structures in the A, RR, R-1, R-2, CL and MXU districts shall meet the following design requirements:

1) All structures shall have permanent or concrete or treated wood foundations which will anchor the structure, which comply with the state building code as adopted in the State of Minnesota, ~~and which are solid for the complete perimeter of the house.~~

2) All structures must have a foundation that is solid for the complete perimeter of the house, except Barndominiums, which may use alternative foundations types as long as they comply with the state building code adopted in the State of Minnesota and are verified by a license structural engineer.

~~2)3)~~ All single-family structures must be built in conformance with Minn. Stats. § 327.31—327.35 of the state building code as adopted in the State of Minnesota.

~~3)4)~~ Single-family dwellings shall have an address according to the numbering system of East Bethel. Numbers shall be at a minimum of three inches in height and displayed in such a way as to clearly identify the building from the roadway. An address plate shall be installed at the right-of-way. A mailbox clearly identifying the address on both sides and an address plate must be installed at the right-of-way.

~~4)5)~~ Each dwelling unit shall include, at a minimum, a 24-foot by 24-foot garage. Driveways must meet a minimum setback of five feet from abutting lots.

~~5)6)~~ Garages shall not be constructed prior to the principal structure and shall be constructed no later than six months after the construction of the dwelling.

B. Single-family dwellings.

1) Sixty percent of a residential structure shall have a minimum width or depth of 20 feet. Width measurement shall not take into account overhangs or other projections. Such width requirements shall be in addition to the minimum area per dwelling requirements established within this ordinance.

2) Single-family dwellings shall have at least a four/twelve (4/12) roof pitch and shall be covered with shingles or tiles or a standing seam metal roof.

3) The exterior walls of all single-family residences shall be similar in appearance to normal wood, vinyl siding, or masonry residential construction.

4) Metal siding may be used if it complies with the following standards

a. The panels have been treated with a factory applied color coating system to prevent against any fading or degradation.

b. Have concealed fasteners

c. Standing seams are not allowed.

d. For Barndominiums using metal siding they must:

i. Comply with the metal siding standards above and

ii. Combine the metal siding with complementary materials,

such as brick, wood, or stone, covering at least 20% of the building's front façade. Metal siding of a different style (such as using lap siding and shake panels) may be used to meet this requirement.

~~5)4)~~ Heating, air conditioning, and ventilation equipment must be located within four feet of the foundation wall.

SECTION 4. Amendment of the City Code. The text of Appendix A (Zoning), SECTION 14 (Detached Accessory Structures) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

SECTION 14 (~~Detached~~ Accessory Structures):

These standards have been established to preserve the character of the principal structure, promote building compatibility, and provide for minimal adverse impacts to surrounding property through the implementation of height, size, location, and architectural regulations.

1. Permit regulations.

All accessory buildings ~~and/or structures~~ over 200 square feet in size require a building permit prior to construction, unless specifically exempt under this ordinance. Accessory structures 200 square feet or less shall not require a building permit unless otherwise required by any other ordinance or state requirement. Accessory structures 200 square feet or less shall comply with all provisions of this section and zoning district regulations.

2. General regulations.

A. No accessory building or structure shall be constructed on any lot prior to construction of the principal structure without prior approval of the city council.

B. Accessory structures located on lots that are subsequently subdivided shall be considered legal non-conforming structures.

C. Every exterior wall, foundation, and roof of accessory ~~structure~~ building(s) shall be reasonably watertight, weather tight, and rodent proof, and shall be kept in a good state of maintenance and repair. Exterior walls shall be maintained free from extensive dilapidation due to cracks, tears, or breaks of deteriorated plaster, stucco, brick, wood, or other material.

D. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and from decay by painting or other protective covering or treatment. A protective surface of an accessory ~~structure~~ building(s) shall be deemed to be out of compliance if more than 25 percent of the exterior surface area is unpainted or paint is blistered or flaking. If 25 percent or more of the exterior surface of the pointing of any brick, block, or stone wall is loose or has fallen out, the surface shall be repaired.

E. [Reserved.]

F. No accessory building ~~or detached private garage~~ shall be located nearer the front lot line than the principal building except when the lot is three acres or greater and the existing principal building is located a minimum of 200 feet from the front lot line. Then the accessory building ~~or detached private garage~~ may be located closer to the front lot line than the principal dwelling, but not closer than 50 percent of the principal dwelling's setback. In the case of a corner lot, the front lot line shall be located on the side on which the principal building is addressed. The remaining lot side with street frontage shall meet the minimum front yard setback.

G. The area of a lean-to shall be included in the allowable square footage of detached accessory ~~structures~~ buildings and will be subject to the square footage restrictions for a lot.

H. Accessory structures on lakeshore lots may be placed between the principal building and the lakeshore or the right-of-way, and are subject to all setbacks and lot coverage.

I. Barndominiums are permitted in the A and RR zones only. ~~[Reserved.]~~

J. The accessory structure building must not be designed or used for human habitation.

K. No cellar, garage, tent, or accessory building shall be at any time be used as a residentially occupied space, independent residence or dwelling unit, either temporarily or permanently.

- L. For purposes of accessing storage, accessory ~~structures~~ buildings may have exterior stairs to a second story in a side or rear yard.
- M. Engineered drawings are required for the permitting of all pole building over 2,000 square feet.
- N. Storage containers shall be placed on a foundation (minimum of a one inch in depth gravel base) to allow for surface drainage and prevent rust or deterioration of container floor.

3. Detached accessory building ~~Architectural and design requirements.~~

Detached accessory structures over 200 square feet shall comply with the following:

- A. Shall incorporate a finished design and color scheme that is coordinated and compatible with the color and design of the principal structure;
- B. Shall include a minimum 12 inch overhang and corner trim elements;
- C. Shall include two architectural features on sides directly adjacent to and visible from a public right-of-way; such as windows, doors, material/color variations, soffits, gables, dormers, and decorative lighting.
- D. Storage containers shall be exempt from architectural feature requirements.

4. Size and number of accessory ~~structures~~ buildings.

A. Size of attached accessory ~~structure~~ building:

- 1) Attached accessory buildings, including garages, with a footprint of less than 1,000 square feet shall not be considered as part of the maximum footprint for purposes of the detached accessory structure calculations. However, attached accessory building space in excess of the initial 1,000 square feet shall be counted towards the maximum allowable detached accessory building footprint.

B. Size of detached accessory building:

- 1) All accessory ~~structures~~ buildings greater than 200 square feet must comply with the following regulations (one shed of 200 sq. ft. or less is allowed on all properties and is not included in the calculation for accessory ~~structures~~ buildings).

Parcel Size	Maximum Square Feet (square footage is inclusive for all allowable structures <u>buildings</u>)	Maximum No. of Detached Accessory Structures <u>Buildings</u>	Maximum Sidewall Height Maximum Sidewall Height A, RR, R-1, R-2 & CL Districts*
Less than ½ acres	580 square feet	1	14 feet
½ acres	960 square feet	1	14 feet
¾ acres	1,100 square feet	1	14 feet
1 acres	1,240 square feet	1	14 feet
1¼ acres	1,380 square feet	1	14 feet
1½ acre	1,520 square feet	1	14 feet
1¾ acres	1,660 square feet	1	14 feet
2 acres	1,800 square feet	2	14 feet
2¼ acres	1,950 square feet	2	14 feet
2½ acres	2,100 square feet	2	14 feet

2¾ acres	2,250 square feet	2	14 feet
3 acres	2,400 square feet	2	14 feet
3¼ acres	2,475 square feet	2	14 feet
3½ acres	2,550 square feet	2	14 feet
3¾ acres	2,625 square feet	2	14 feet
4 acres	2,700 square feet	2	14 feet
4¼ acres	2,775 square feet	2	14 feet
4½ acres	2,850 square feet	2	14 feet
4¾ acres	2,925 square feet	2	14 feet
5.0 or more acres	3,000 sq. ft., plus an additional 240 sq. ft., or increment thereof, for each additional acre	4	14 feet
Viking Preserve	200	1	8 feet

* If utilizing the 14 foot sidewall height, refer to Chapter 6: Wall bracing of the International Building Code, as your project may require engineered drawings for building permits to be issued.

a) Roof pitch shall be no less than the minimum required by the International Building Code and shall not be the focal point of the property.

b) Accessory ~~structures~~buildings shall be of similar design and building materials as the principal building. Pole buildings shall match the design of the principal structure as practical as possible.

c) Accessory ~~structures~~buildings less than 200 square feet in all districts shall be limited to a sidewall height no greater than eight feet.

2) Storage containers shall not be calculated as allowable accessory ~~structure~~building square footage or number.

3) One storage container, up to 320 square feet, is allowed on properties of one acre to four acres. An additional 80 square feet is allowed for each acre thereafter.

CB. Fire escapes, landing places, open terraces, outside stairways, cornices, canopies, eaves, window protrusions, and other similar architectural features that extend no more than two feet into the required front, side, and rear yard setback are exempt from the detached accessory ~~structure~~building square footage calculation.

SECTION 5. Amendment of the City Code. The text of Appendix A (Zoning), SECTION 41 SUBD. 2 (Agricultural District (A) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

2. Permitted uses.

I. Barndominium.

SECTION 6. Amendment of the City Code. The text of Appendix A (Zoning), SECTION 42 SUBD. 2 (Rural Residential (RR) District) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

2. Permitted uses.

 F. Barndominium.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect upon its adoption.

Adopted this XXth day of XXXX, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

BARNDOMINIUMS/SHOUSES and the 2020 MINNESOTA RESIDENTIAL CODE

Minnesota Department of Labor and Industry

What are barndominiums and shouses?

“Barndominium” and “shouse” are terms used to describe dwellings with attached shops or storage areas and usually built using a post frame method of construction.

These structures often have metal panel roofing and siding that is associated with barns and storage buildings. Unlike conventional “stick-built” homes that require a foundation and footing around the entire perimeter of the home, post frame structures often require a post and footing placed every six to eight feet.



Example of a barndominium/shouse.

Are barndominiums and shouses required to comply with the 2020 Minnesota Residential Code?

Yes. Barndominiums and shouses are considered single-family dwellings and classified as an IRC-1 occupancy group. These structures must be designed and constructed in accordance with the 2020 Minnesota Residential Code (2020 MNRC) provisions. [R300.1, R301.1]

Do barndominium and shouse requirements apply for all of Minnesota?

Yes. The Minnesota State Building Code is the standard of construction for the entire state of Minnesota, whether local code enforcement exists or not. The 2020 MNRC adopts the 2018 International Residential Code (IRC) with amendments. [Minnesota Statutes, section 326B.121, Minnesota Rules 1309]

For the purposes of this fact sheet, "code" means the Minnesota State Building Code adopted under Minnesota Statutes, section 326B.106, subdivision 1, and includes the chapters identified in Minnesota Rules, chapter part 1300.0020. The 2020 MNRC can be viewed at <https://codes.iccsafe.org/content/MNRC2020P1>.

Are building permits required for all barndominiums and shouses?

Yes. Although barndominiums and shouses are constructed with the appearance of an agricultural building, their intended use is a dwelling and building permits are required for inspections and to verify code compliance.

Is a Minnesota residential building contractor license required to build a barndominium or shouse?

Yes. A Minnesota residential building contractor license is required for the construction of a barndominium or shouse because they are residential dwellings. Licensed contractors and homeowners should confirm with the local jurisdiction requirements for permits, inspections, zoning, and other relevant regulations before construction. [Minn. Stat. 326B.805 and 326B.802 subd. 13]

Are barndominium and shouse setbacks from property lines regulated by the code?

No. The 2020 MNRC does not address minimum property line setback requirements for a barndominium or shouse. Local zoning ordinances may regulate property line setbacks and land use for all dwellings, including barndominiums and shouses. Local zoning ordinances may also limit the use of metal exterior finishes and should be verified.

Does the code have requirements for exterior walls and eave projections near property lines?

Yes. Barndominiums and shouses must comply with code requirements for exterior walls. Barndominium or shouse exterior walls that are less than five feet from the property line are required to be one-hour fire-resistive rated. Roof eave

projections that are two feet or more and less than five feet from the property line must also be one-hour fire-resistive rated. (See illustration at right.) [R302.1, Table R302.1(1), Minn. R. 1300.0120 Subp. 4]

Does the 2020 MNRC provide design requirements for post/frame construction?

No. The 2020 MNRC provides the minimum prescriptive requirements for conventional light frame construction. A post frame structure could be accepted as an alternate method of construction if approved by the building official. Documentation must be submitted to the building official to demonstrate that the alternate method complies with the intent of the code. [R301.1.2, R301.1.3, Minn. R. 1300.0110 subp. 13]

Is a structural engineer required to design a barndominiums and shouses?

Yes. Design by a structural engineer is required for any structural elements (design, foundation system, method of anchorage) of a dwelling that do not comply with the 2020 MNRC requirements for conventional light frame construction. Barndominiums and shouses are generally post frame construction which is not considered light frame construction or addressed by the code so a structural engineer must certify the design as compliant with the code. [R301.1.3]

Are barndominiums and shouses required to have footings and foundations complying with the code?

Yes. A foundation system of post and footings, slab-on-grade, or another foundation type must be capable of supporting all imposed loads regulated by the code. This is necessary because all structures must be constructed to support the loads (i.e., dead loads, live loads, roof loads, snow loads, wind loads ...) as prescribed by the code, which results in a system providing a complete load path to transfer loads from their point of origin through the foundation to the supporting soils. [R301.1, R401.2]

Do barndominiums and shouses require frost depth footings?

The footings of all dwellings must be frost protected in accordance with the code. Barndominiums and shouse often include posts with footings, slab-on-grade, or conventional foundation methods of construction The 2020 MNRC permits five options for frost footings, including compliance with Minn. R. 1303.1600. Minn. R. 1303.1600 provides the minimum footing depths for frost protection in Minnesota counties and requirements for slab on grade structures. The minimum frost protection depths are 42 inches in southern counties or 60 inches in northern ones. [R403.1.4.1, Minn. R. 1303.1600]

Are barndominiums and shouses required to comply with energy code requirements like other dwellings?

Yes. Barndominiums and shouses must comply with the minimum requirements of the Minnesota Residential Energy Code (MNREC) because they are considered single-family dwellings. Construction plans and documents for

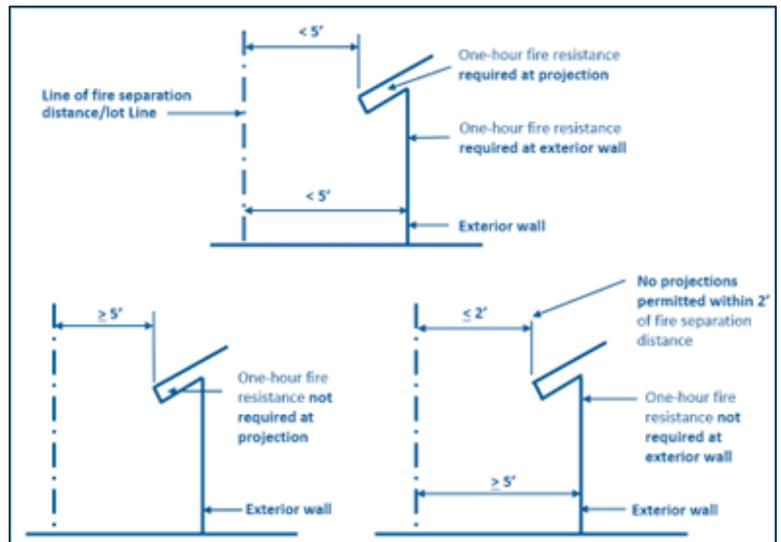
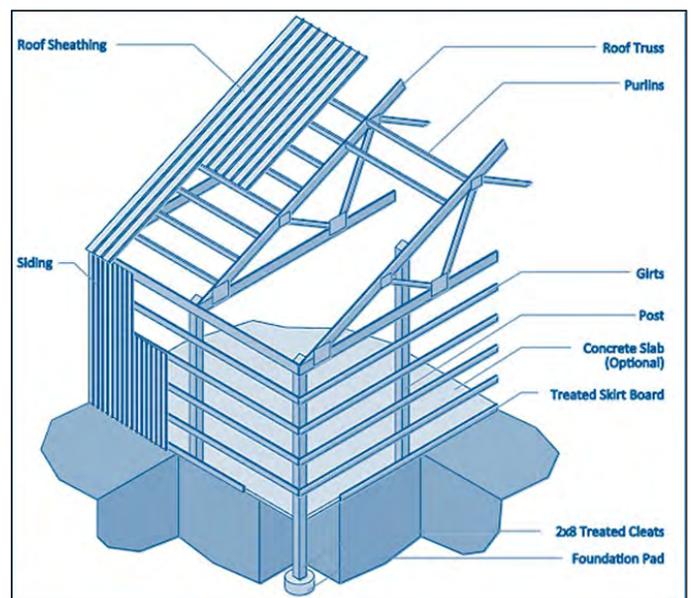


Table R302.1(1) – Exterior walls (without fire sprinklers)

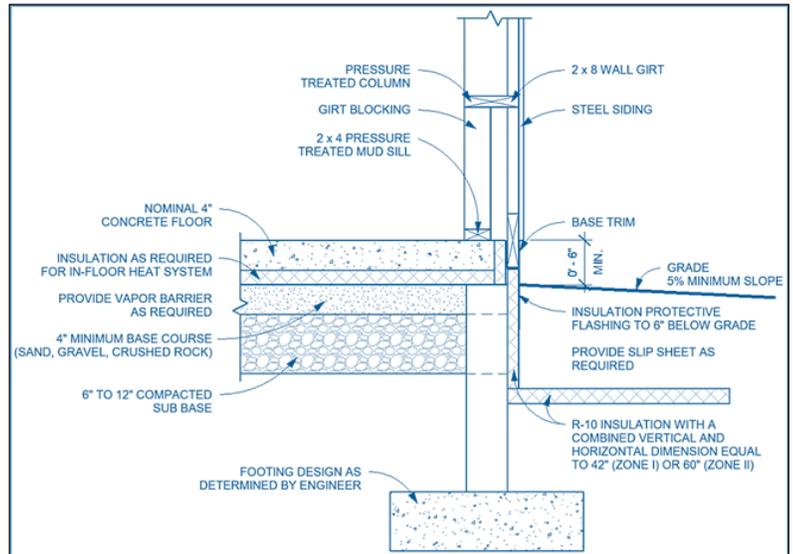


Typical post/frame components.

a barndominium or shouse must include the information required by the MNREC and other information as requested by the building official to verify compliance with the MNREC. [Minn. R. 1322, 1322.0103, 1300.0130]

Are there requirements for the slab-on-grade portion of a barndominium or shouse?

Yes. Slab-on-grade construction must comply with the MNRC and MNREC. Slab-on-grade insulation must meet the MNREC requirements for minimum R-values and requirements for the climate zone (6A or 7) where the structure will be located. The slab-on-grade required insulation depth can be a total of the combined vertical and horizontal insulation dimensions. (See illustration) [MNRC R403, Minn. R. 1322, MNREC R402.2.9 and MNREC Table R402.1.1]



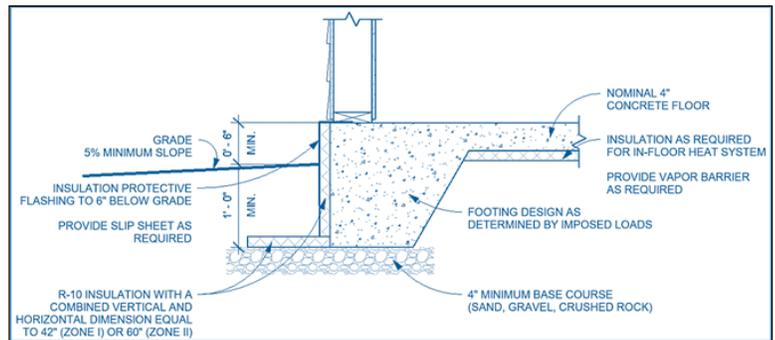
Example of slab-on-grade insulation for post frame.

Do post frame barndominiums and shouses require radon control systems?

Yes. A radon control system that complies with Minn. R. 1303.2400 is required for residential dwellings with floor systems in contact with the earth such as slab-on-grade floors. The radon control system is only required for the dwelling area and not the attached garage, shop or storage area.

Is a fire separation required barndominium or shouse between the dwelling and garage, shop or storage areas?

Yes. The code requires ½-inch gypsum board at the common wall between the house and garage of conventional dwelling construction. The same requirement applies to barndominiums and shouses with attached garages or attached storage and shop areas with overhead garage doors for vehicle access that could be used as a garage. Code requirements for openings in the common wall for fire separation also apply. [R302.5, R302.6]



Example of slab-on-grade insulation.

Can metal siding panels be used as the required fire separation between the dwelling and garage or shop?

Unlikely. The code requires ½-inch gypsum board at the common wall between the house and garage of conventional dwelling construction. The metal siding could be used if installed over the 1/2-inch gypsum board that provides fire protection. The metal siding could be approved as an alternate method of construction if it is proven to meet the intent of the code and provides fire protection equivalent to ½-inch gypsum board. Metal panel siding may be noncombustible but does not function the same as gypsum board in a fire event. [R302.5, R302.6]

Are there requirements for doors, openings and penetrations between the dwelling portion and garage, shop?

Yes. There are several requirements. Openings between the garage or shop directly into a room used for sleeping purposes is prohibited. Other openings between the garage or shop and dwelling shall be equipped with solid wood doors not less than 13/8 inches in thickness, solid or honeycomb core steel doors not less than 13/8 inches thick, or 20-minute fire-rated doors. Other penetrations or openings shall be protected as required by the code. [R302.5, R302.5.1]

Can a second floor or loft in the dwelling have doors or windows overlooking the garage or shop area?

Window openings between the garage or shop and dwelling are prohibited. Other penetrations or openings, such as doors, between the garage or shop and dwelling must be protected as discussed above. [R302.5, R302.5.1]

Is the exterior siding or other cladding required to have 6 inches of clearance above the ground?

Exterior siding or other cladding must comply with the MNRC. Wood siding, wood sheathing and wall framing on the exterior of the structure must have a minimum of 6 inches of clearance to grade or decay protected by use of naturally durable or preservative treated wood. Metal panel siding must comply with the manufacturer's installation instructions and may require 6-inch to 8-inch clearance to grade to protect it from rusting. [R317.1, R317.1.2]



Example of a barndominium/shouse.

Does a post frame structure with metal panel siding require diagonal wall bracing for lateral building support?

Metal panel siding products may provide a structure with sufficient lateral support to meet wind load design requirements. The structure engineer is responsible for the designing the entire structure and certifying that the design is compliant with the code. [R301.1.3, R601.2]

Are barndominiums and shouses required to have a water-resistive barrier (WRB) at exterior wall assemblies?

Yes. The code requires all heated and unheated structures with exterior wall sheathing to have WRB. The WRB is placed over the exterior wall sheathing prior to installation of the exterior cladding (siding) to prevent water accumulation within the wall assembly. Post frame construction is required to have a WRB or be provided with a secondary drainage plane to drain any moisture to the structure's exterior. Alternative methods for a secondary drainage plane that demonstrate compliance with the intent of the code are permitted with the approval of the building official of the jurisdiction. [R703.2, R703.1.1, Minn. R. 1300.0110 subp. 13]

Are barndominiums and shouses required to have an ice barrier installed for roof covering materials?

Barndominiums and shouses are single-family dwellings and must comply with code requirements for those structures. Ice barriers are required as specified in the code for each type of roof covering material and the manufacturer's installation instructions. [R905.1, R905.1.2]

Instead of buying wood trusses for a barndominiums and shouses, can an individual fabricate their own?

Wood trusses are engineered components of the roof and ceiling assembly and must be designed by a Minnesota-licensed engineer to accepted engineering standards. The 2020 MNRC permits the use of wood trusses or the hand framing of a structurally compliant roof and ceiling assembly in accordance with prescriptive requirements for ridge boards, rafters and ceiling joists. The engineer is responsible for the entire structural design including the foundation system, roof system, and wall framing for all imposed load requirements. [R802.10 R802.3, R802.4, R802.5]



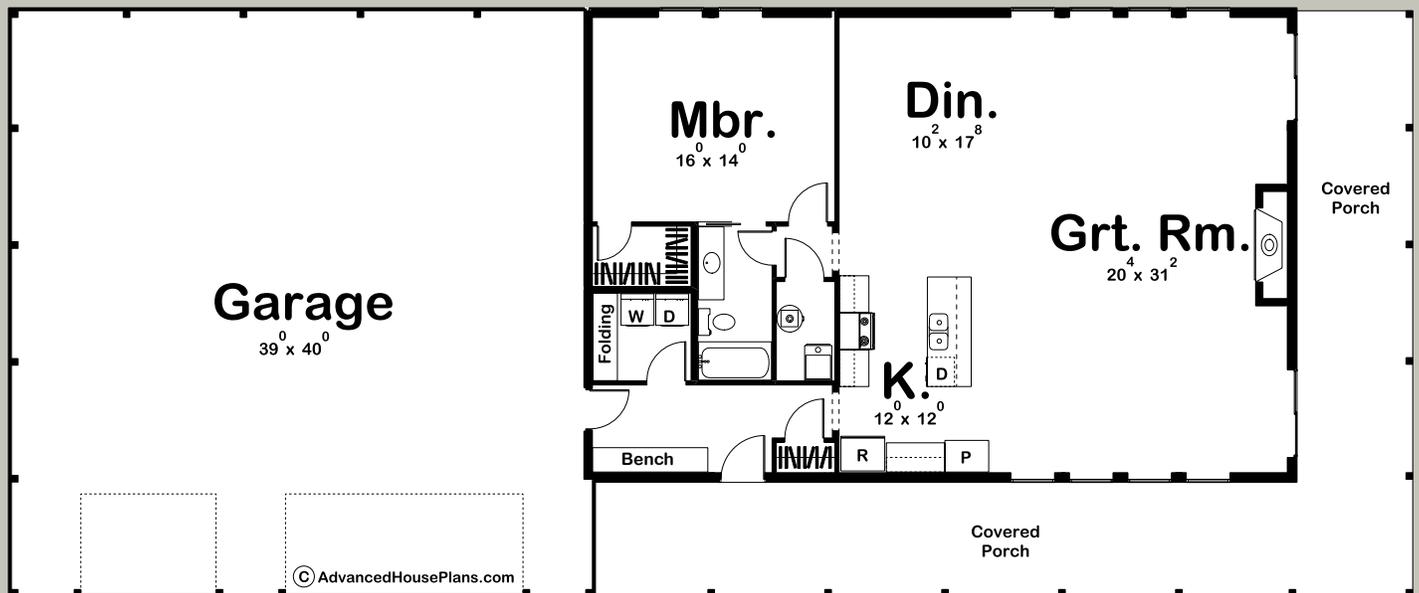
29668

Northwood

1 BED | 1 BATH | POST FRAME

MAIN LEVEL: 1570 SQ FT
 GARAGE: 1595 SQ FT
 TOTAL FINISHED: 1570 SQ FT

DIMENSIONS
 96' 0" WIDE
 40' 4" DEEP





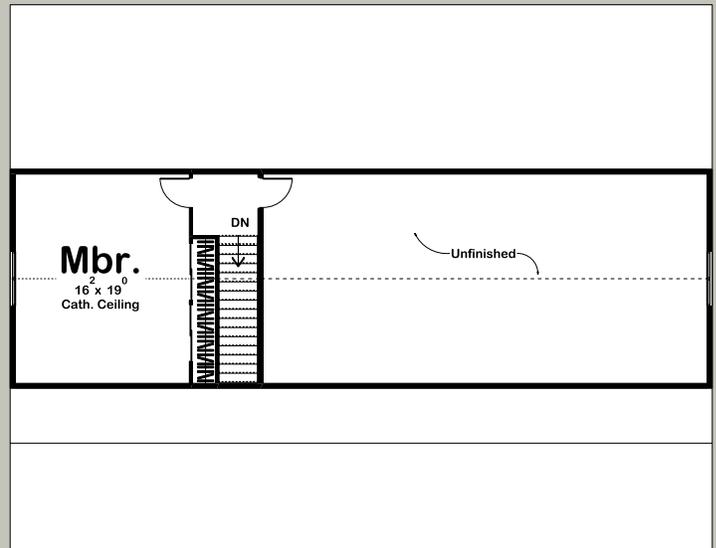
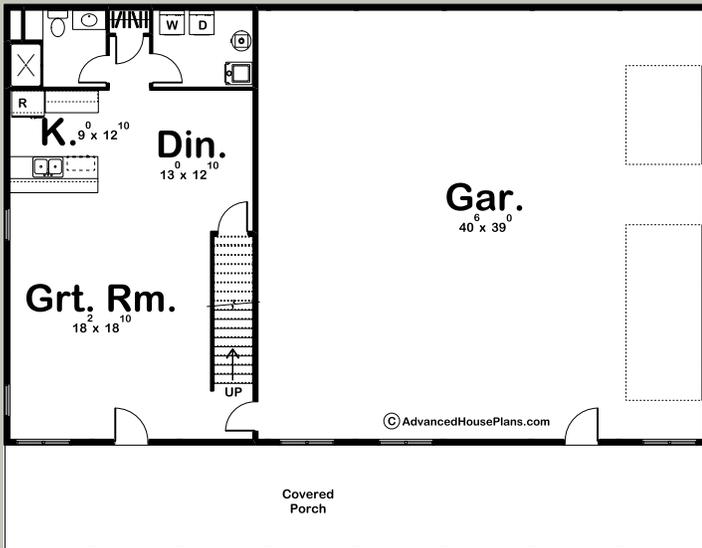
29674

Westminster

1 BED | 1 BATH | POST FRAME

MAIN LEVEL: 938 SQ FT
 LOFT: 404 SQ FT
 GARAGE: 1653 SQ FT
 TOTAL FINISHED: 1342 SQ FT

DIMENSIONS
 64' 0" WIDE
 50' 0" DEEP



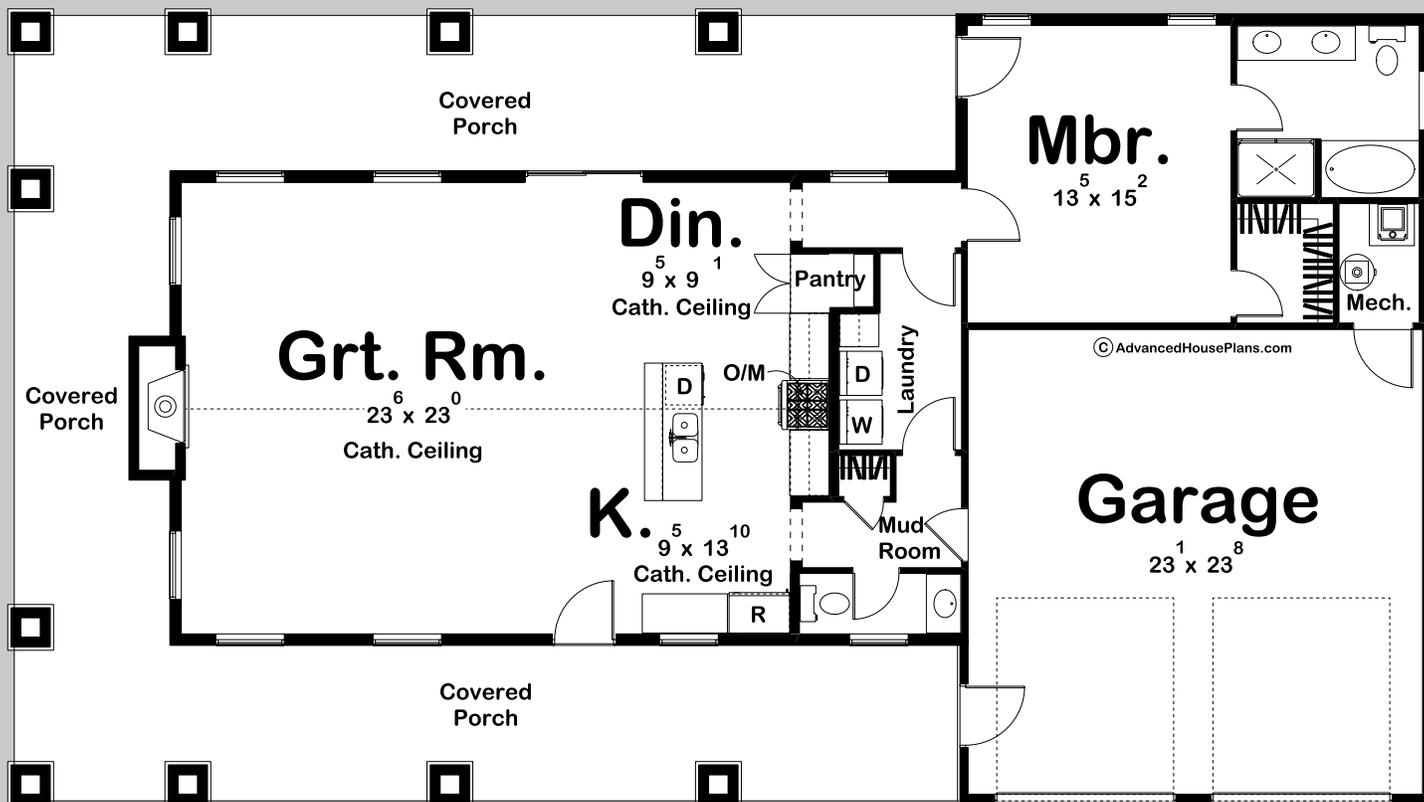
29768



TRADITIONAL STYLE POSTFRAME HOUSE
BOZEMAN
1 BEDROOM, 2 BATHROOM, 2 CAR GARAGE

MAIN FLOOR: 1358 SQ FT
GARAGE: 570 SQ FT

EXTERIOR DIMENSIONS
72' - 4" WIDE
40' - 8" DEEP

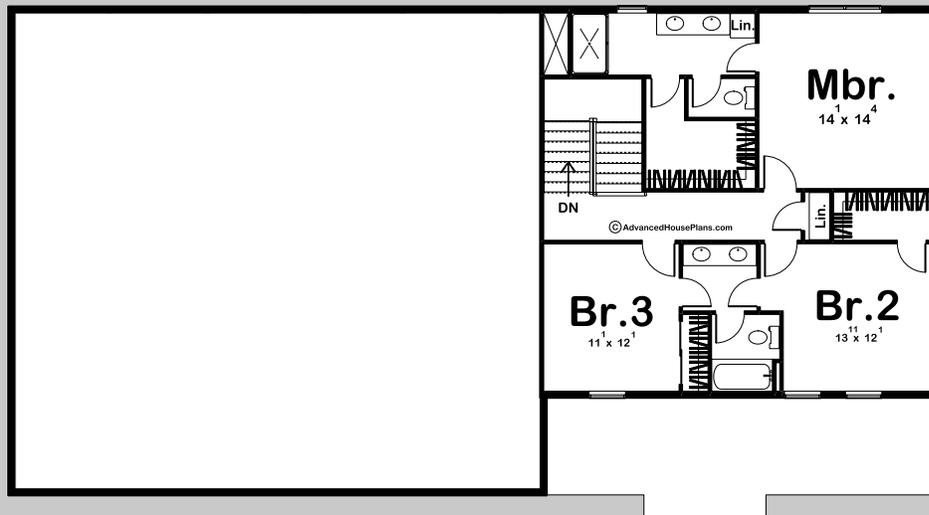
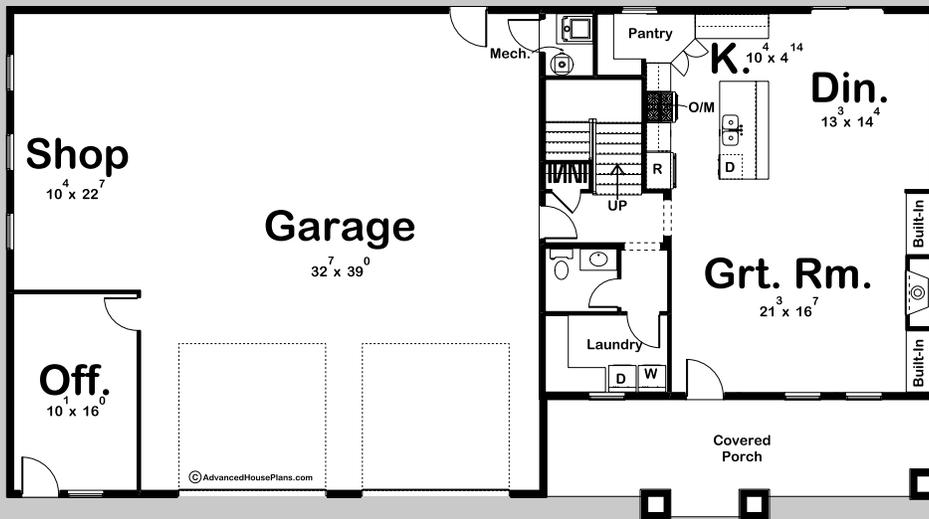




TRADITIONAL STYLE
HELENA
 3 BEDROOM, 3 BATHROOM, 2 CAR GARAGE

MAIN FLOOR: 1037 SQ FT
 SECOND LEVEL: 957 SQ FT
 TOTAL FINISHED: 1994 SQ FT

EXTERIOR DIMENSIONS
 76' - 0" WIDE
 41' - 0" DEEP



29774



TRADITIONAL POSTFRAME HOUSE
GREAT FALLS
3 BEDROOM, 2 BATHROOM, 3 CAR GARAGE

MAIN FLOOR: 575 SQ FT
SECOND FLOOR: 1800 SQ FT
GARAGE: 1269 SQ FT

EXTERIOR DIMENSIONS
66' - 0" WIDE
32' - 0" DEEP



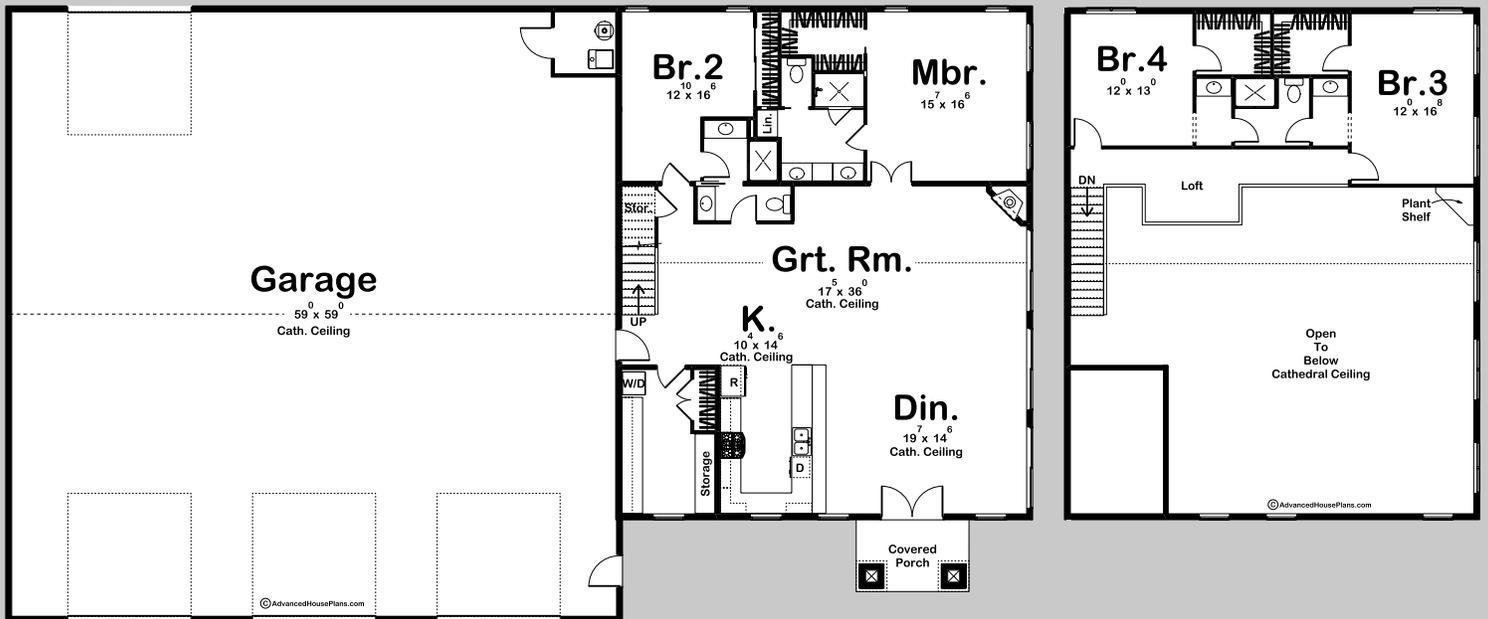
20947



TABLE ROCK
4 BED, 3 BATH, 4 CAR GARAGE

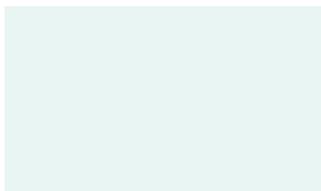
MAIN LEVEL: 2025 SQ FT
SECOND LEVEL: 751 SQ FT
TOTAL FINISHED: 2776 SQ FT

EXTERIOR DIMENSIONS
100' - 0" WIDE
60' - 0" DEEP

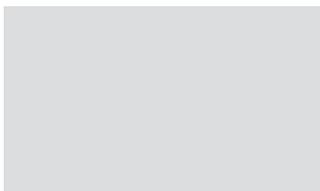


TO ORDER THIS PLAN VISIT WWW.MENARDS.COM
Page 55

Residential
STEEL SIDING
Limited Lifetime Warranty



BRITE WHITE



WHITE



LIGHT STONE



PINEWOOD



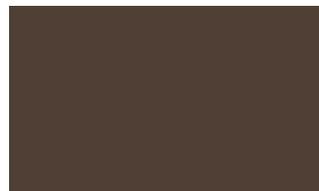
BEIGE



TAN



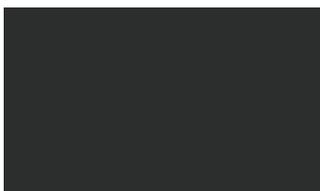
BRONZE



BURNISHED SLATE



BROWN



CHARCOAL BLACK



MIDNIGHT BLACK



EMERALD GREEN



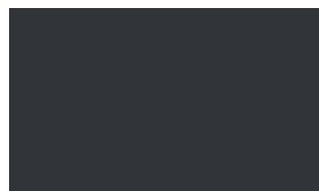
ASH GRAY



LIGHT GRAY



CHARCOAL GRAY



MIDNIGHT GRAY



BRITE RED



RED



COLONIAL RED



BURGUNDY



OCEAN BLUE



MIDNIGHT BLUE

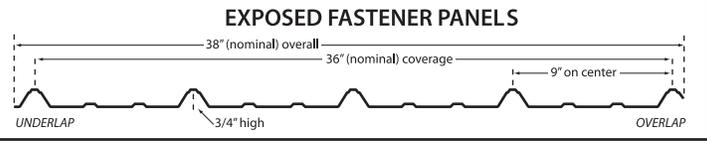
MENARDS offers the BEST CHOICE of Residential Steel Siding Panels. Complete the look with our other Quality Steel Products. Steel Roofing, Soffit, Fascia, Gutter, Vents, Trim, Trim Coil, & Custom Bent Trim.

Note: Color Chips show approximate tone. Color of actual product may vary. Final color approval should be made with actual material.

PRO-RIB



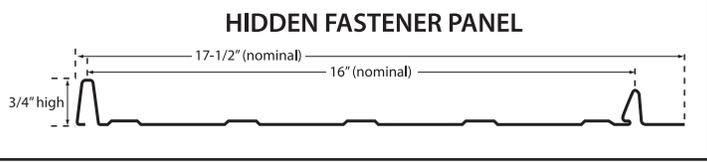
Pro-Rib and Premium Pro-Rib are the most versatile panels on the market. These panels are 36" wide coverage and can be cut to your length to the inch, for fast and easy installation. These panels can take on a rustic or industrial look on your home or building. Available in all 22 Traditional, and 4 Designer Series, steel colors that feature a matte finish.



PREMIUM PRO-SNAP



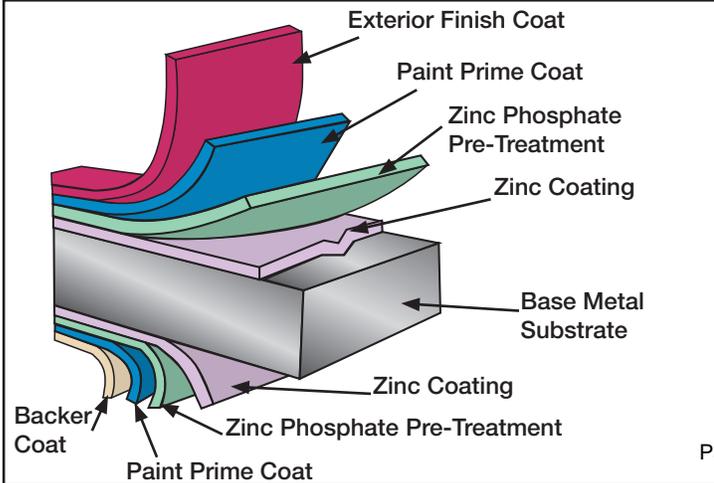
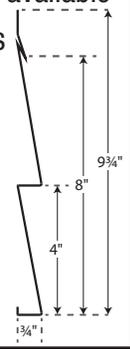
Premium Pro-Snap can be installed vertically to create a 16" mini-batten pattern that works with any home's style. Want a bigger board and batten look? Simply snap on our batten trim to create a 2-3/8" wide batten look that will never fade and will never need painting.



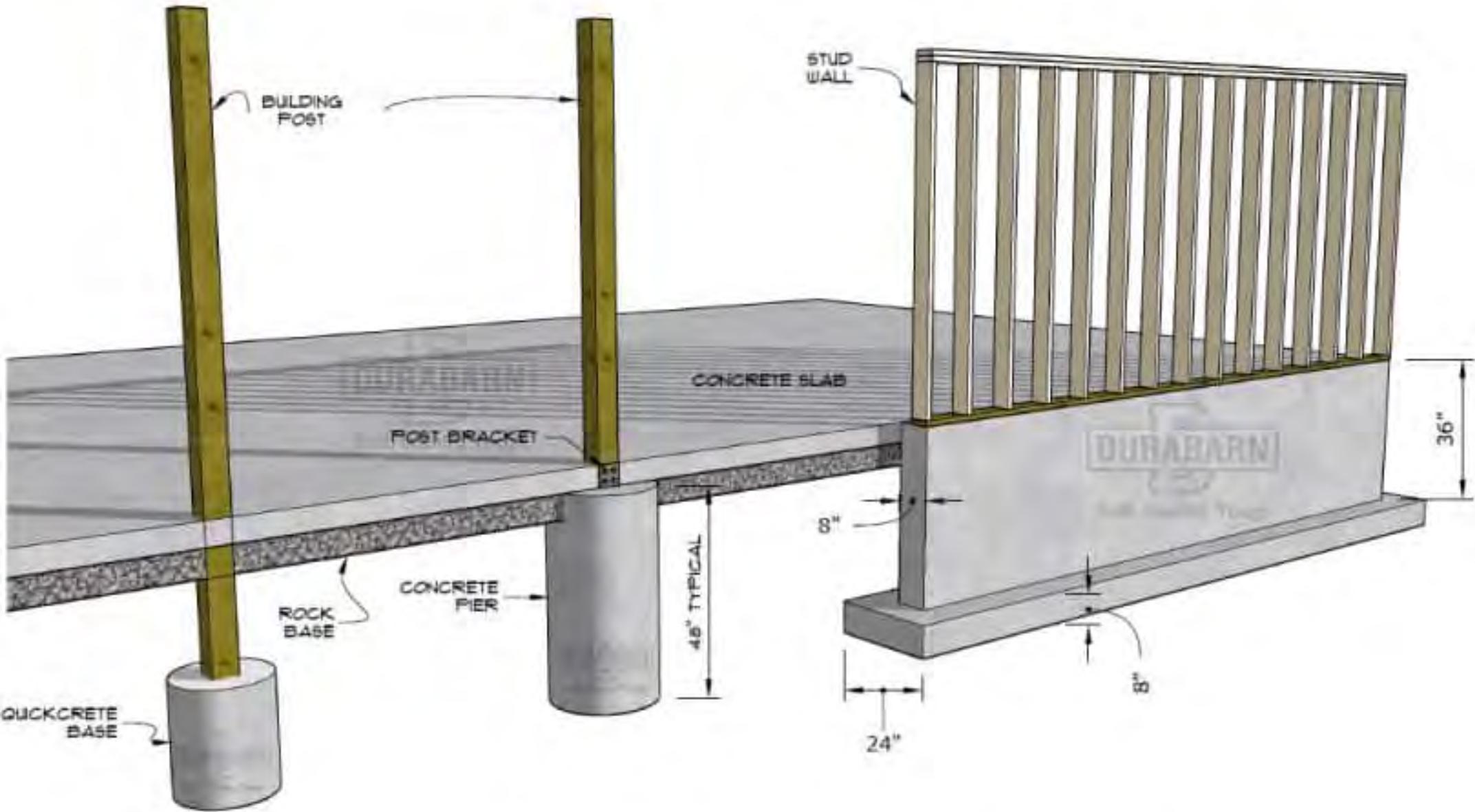
PREMIUM PRO-LAP



The Premium Pro-Lap siding gives your home the horizontal siding look with a realistic wood grain pattern. Premium Pro-Lap siding has 8" coverage and is available in 12'6", 16'8" and 20' lengths to reduce seams on any wall. With the best color retention, protection from hail, wind and fire, and limited expansion, Premium Pro-Lap is a great option for any home.



- Available in 23 colors
 - Trim available in all colors
 - Zinc Phosphate pre-treatment
 - Grade 80 (full hard steel)
 - 100,000 p.s.i. nom. tensile strength
 - UL 2218 Class 4 Hail Resistance
 - UL 790 Class A Fire Resistance
 - UL 580 Class 90 Wind Uplift
 - Structural strength ASTM-A653
 - Coil coating "paint" process ASTM-A755
 - Meets IBC 1507.4 Metal Roof Panels
 - Florida State Approval FL42461 on 5/8" Plywood, FL42564 on 2x Material
- For UL details & certifications see www.ul.com



POST FRAME
W/ POST IN GROUND

POST FRAME WITH
CONCRETE PIER

SHORT WALL FOUNDATION